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Ethics Commission Notice of Meeting and Agenda

For June 8, 1994
10:00 am
Legislative Chambers, Second Floor
San Francisco City Hall

Special Meeting

10:00 Swearing In Ceremony for Commissioners
Supervisor Kevin Shelley Presiding

10:30 Convene first meeting of the Ethics Commission

I Introductions

II Election of an Interim Chair

III Adoption of interim Rules of Order

IV Review of Sunshine Ordinance and Brown Act
City Attorney's Office

V Determination of Commissioner Terms of Office

VI Discussion on selection process for Executive Director

VII Set Date, Time, and Place for subsequent Regular meetings

VIII Set agenda for regular meeting

IX Public comment for items not on the agenda

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c/o City Hall, Room 235
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APPROVED: 6-23-94

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FOR DETAILS OF AMENDMENTS

MINUTES

ETHICS COMMISSION MEETING

WEDNESDAY, JUNE 8, 1994 - 10:30 A.M.

LEGISLATIVE CHAMBER
SECOND FLOOR, CITY HALL

PRESENT: COMMISSIONERS PETER AVILES, VIRGINIA C. GEE, DANIEL KALB
JO ANN HENDRICKS, CAMILLE HAMILTON PATING

IN ATTENDANCE: SUPERVISOR KEVIN SHELLEY

ACTING CLERK: KAY GULBENGAY

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MEETING CONVENED: 10:45 AM

1. Election of an Interim Chair.

   ACTION: Motion by Commissioner Aviles, seconded by Commissioner Gee, nominating Commissioner Hamilton Pating as interim chair. Commissioner Pating accepted the nomination.
   Commissioner elected the interim chair.

2. Adoption of Interim Rules of Order.

   ACTION: Motion by Commissioner Gee, seconded by Commissioner Hendricks, to adopt Roberts Rules of Order as the Ethics Commission Interim Rules of Order.
   Roberts Rules of Order adopted as the Interim Rules of Order for the Ethics Commission.

3. Review of Sunshine Ordinance and Brown Act by City Attorney's Office.

   ACTION: Discussion was held. Randy Riddle, Deputy City Attorney gave a general overview of the Sunshine Ordinance and the Brown Act as they relate to the Ethics Commission meetings and actions.

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4. Determination of Commissioner Terms of Office.

ACTION: Lots were drawn by the Commissioners to determine the terms of office for each Commissioner the results were as follows:
Commissioner Jo Ann Hendricks term to expire on 6/8/95
Commissioner Daniel Kalb term to expire on 6/8/96
Commissioner Camille Hamilton Pating term to expire on 6/8/97
Commissioner Peter Aviles term to expire on 6/8/98
Commissioner Virginia C. Gee term to expire on 6/8/98.

5. Discussion on selection process for Executive Director for the Ethics Commission.

ACTION: Motion was made Commissioner Hendricks, seconded by Commissioner Gee, to appoint Commissioner Kalb to begin to draft a job description for the position of Executive Director, Ethics Commission. This matter will be taken up at special meeting of the Ethics Commission at a date and time to be determined.

SPEAKERS: Supervisor Kevin Shelley, Randy Riddle, Deputy City Attorney, James Chafee, Member Sunshine Ordinance Task Force.

6. Set Date, Time, and Place for subsequent Regular meetings.

ACTION: Discussion was held relating to the times, dates and place of of future Ethic Commissions meetings. Commissioner Pating suggested that she would work with Supervisor Kevin Shelley's staff and the Commissioners to arrive at the best possible date and times for the Ethics Commission future meetings.

SPEAKER: Molly O'Shea, Administrative Assistant, Supervisor Kevin Shelley

7. Set agenda for regular meeting.

ACTION: Commissioner Gee requested that a hearing be held relating to establishing by-laws for the Ethics Commission at the next Ethics Commission.
Commissioner Aviles requested that a representative of the District Attorney, City Attorney, Registrar of Voters, and Controller's office be present at the next Ethics Commission meeting.
Commissioner Gee requested that a hearing be held to discuss the budget of the Ethics Commission.
City Attorney suggested that other designated items may be added which involve the work of the Ethics Commission.

8. Public comment for items not on the agenda.

ACTION: There being no one desiring to speak public comment was closed.

MEETING ENDED: 11:30 AM

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Ethics Commission Agenda

AND NOTICE OF MEETING FOR THURSDAY, JUNE 23, 1994 9:00AM
ROOM 228 SAN FRANCISCO CITY HALL

I. Approval and Adoption of Minutes

II. Discussion and Possible Action Re: Hiring of Executive Director
   A. Discussion and Possible Action Re: Search Process
      1. Discussion and Possible Action Re: Development of Job Specifications
      2. Discussion and Possible Action Re: Recruitment, Posting and Use of Volunteers
      3. Discussion and Possible Action Re: Setting Other Tasks For Search Process
   B. Discussion and Possible Action Re: Interim Executive Director
   C. Public Comment

III. Discussion and Possible Action Re: Budget
   A. Discussion and Possible Action Re: Proposed Budget
   B. Discussion and Possible Action Re: Supplemental Appropriation
   C. Public Comment

IV. Discussion and Possible Action Re: Rules and Regulations for Investigations Under Charter section 3.699.13
   Public Comment

V. Discussion and Possible Action Re: Rules and Regulations for Education and Outreach Programs Under Charter Section 3.699 (13-14)
   Public Comment

VI. Discussion and Possible Action Re: Setting Regular Commission Meeting Days and Times
   Public Comment

VII. Discussion and Possible Action Re: City Departments Currently Performing the mandated functions of the Ethics Commission

A. Presentations By Departments
1. District Attorney's Office
2. Controller
3. Registrar of Voters
4. Whistleblowers Unit
5. Civil Service Commission
6. City Attorney's Office
7. FPPC
B. Transfer of Duties
C. Public Comment

VIII. Discussion and Possible Action Re: Adoption of Conflict of Interest Code for Ethics Commission
A. Presentation By Deputy City Attorney David Benjamin
B. Public Comment

IX. Setting Agenda For Subsequent Meeting

X. Public Comment Re: Items Not On The Agenda

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REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

MINUTES

MEETING OF
ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 23, 1994 – 9:00 A.M. ROOM 228, CITY HALL

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

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ACTING CLERK: GAIL JOHNSON

MEETING CONVENED: 9:06 A.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. APPROVAL AND ADOPTION OF MINUTES

ACTION: On motion of Commissioner Gee, Minutes of June 8, 1994, corrected on page 2, Item 7, to read "Commissioner Gee requested that establishing bylaws be made an agenda item for the next Ethics Commission meeting." Motion to correct Minutes adopted without objection.

Commissioner Gee, seconded by Commissioner Hendricks, moved that the Minutes of the meeting of June 8, 1994, be approved as corrected.

Motion carried by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

II. DISCUSSION AND POSSIBLE ACTION RE: HIRING EXECUTIVE DIRECTOR
- A. Discussion and Possible Action Re: Search Process
  1. Discussion and Possible Action Re: Development of Job Specifications
  2. Discussion and Possible Action Re: Recruitment, Posting and Use of Volunteers
  3. Discussion and Possible Action Re: Setting Other Tasks for Search Process
- B. Discussion and Possible Action Re: Interim Executive Director
- C. Public Comment

ACTION: ITEM II A – Hiring Executive Director

Commissioner Hamilton Pating designated, without objection, Commissioner Kalb to work on the search for an Executive Director of the Ethics Commission (as listed in Sub–items A1–A3 on the agenda) and to bring suggestions to the full Commission for consideration at the next meeting.

Commissioner Gee, seconded by Commissioner Kalb, moved that the Ethics Commission accept an offer from the Alexander Group to assist the Commission in the search for an Executive Director.

Motion adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

Speakers: Randy Riddle, Deputy City Attorney; Steven B. Fogle, Managing Director, The Alexander Group.

ACTION: ITEM II B – Interim Executive Director

Commissioner Gee, seconded by Commissioner Hendricks, moved that the Interim President (Chair) of the Ethics Commission explore with John L. Taylor, City Clerk and Clerk of the Board of Supervisors, the range of options available for the hiring of an Interim Executive Director (such as the hiring of retirees, etc.), and then to work with Randy Riddle, Deputy City Attorney, on this matter.

Motion adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

Speakers: Randy Riddle, Deputy City Attorney; John L. Taylor, City Clerk and Clerk of the Board of Supervisors.

III. DISCUSSION AND POSSIBLE ACTION RE: BUDGET
A. Discussion and Possible Action Re: Proposed Budget
B. Discussion and Possible Action Re: Supplemental Appropriation
C. Public Comment

ACTION: Commissioner Kalb, seconded by Commissioner Gee, moved that the Commission, or a member thereof, review the current proposed Ethics Commission budget, using guidelines as established by the Charter and any other appropriate legislation, and then pare the budget down to meet the amount that's been assigned to the Commission by the Board of Supervisors.

Motion adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

Commissioner Hamilton Pating designated, without objection, Commissioner Hendricks to work on the budget and report to full Commission at the next meeting.

Speakers: Randy Riddle, Deputy City Attorney; John L. Taylor, City Clerk and Clerk of the Board; Shelley Salieri.

IV. DISCUSSION AND POSSIBLE ACTION RE: RULES AND REGULATIONS FOR INVESTIGATIONS UNDER CHARTER SECTION 3.699.13
Public Comment

ACTION: Commissioner Hamilton Pating designated, without objection, Commissioner Aviles to conduct research and act as a liaison with other agencies that are currently doing investigations and to prepare draft rules and regulations for investigations to be conducted by the Ethics Commission under Charter Section 3.699–13. These proposed rules and regulations will be presented to the Commission for consideration at a later date.

Speaker: Randy Riddle, Deputy City Attorney.

V. DISCUSSION AND POSSIBLE ACTION RE: RULES AND REGULATIONS FOR EDUCATION AND OUTREACH PROGRAMS UNDER CHARTER SECTION 3.699 (13–14)
Public Comment

ACTION: Commissioner Hamilton Pating designated, without objection, Commissioner Gee to work on education and outreach programs under Charter Sections 3.699–13 and 3.699–14.

Speakers: Shelley Salieri; James Chafee, Member, Sunshine Ordinance Task Force.

VI. DISCUSSION AND POSSIBLE ACTION RE: SETTING REGULAR COMMISSION MEETING DAYS AND TIMES
Public Comment

ACTION: Commissioner Gee, seconded by Commissioner Hendricks, moved that the Ethics Commission shall hold a regular meeting on the second Monday of each month, from 2:00 p.m. to 5:00 p.m. (at a location to be established).

Motion adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

Speakers: Molly O'Shea, Administrative Assistant to Supervisor Kevin Shelley; Randy Riddle, Deputy City Attorney; Shelley Salieri.

VII. DISCUSSION AND POSSIBLE ACTION RE: CITY DEPARTMENTS CURRENTLY PERFORMING THE MANDATED FUNCTIONS OF THE ETHICS COMMISSION

A. Presentations by Departments
   1. District Attorney's Office
   2. Controller
   3. Registrar of Voters
   4. Whistleblowers Unit
   5. Civil Service Commission
   6. City Attorney's Office
   7. FPPC

B. Transfer of Duties

C. Public Comment

ACTION: Commissioner Aviles, seconded by Commissioner Gee, moved that the Commission prepare and send letters to the FPPC and heads of departments currently performing the mandated functions of the Ethics Commission regarding maintaining the status quo and requesting various types of information the Commission desires to have when presentations are made to Commission.

Motion adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

Commissioner Hamilton Pating designated, without objection, herself to prepare subject letter to department heads.

Meagan Levitan of the Mayor's Office made a general presentation on the duties and functions of the Whistleblowers Unit.

Randy Riddle, Deputy City Attorney, made a general presentation on behalf of the City Attorney's Office, regarding the duties of the City Attorney as they relate to ethics laws.

Speakers: Randy Riddle, Deputy City attorney; James Chafee, Member, Sunshine Ordinance Task Force; Shelley Salieri; Meagan Levitan, Mayor's Office (Whistleblowers Unit).

VIII. DISCUSSION AND POSSIBLE ACTION RE: ADOPTION OF CONFLICT OF INTEREST CODE FOR ETHICS COMMISSION
A. Presentation By Deputy City Attorney David Benjamin
B. Public Comment

ACTION: David Benjamin, Deputy City Attorney, presented recommendations and guidelines for the preparation of a Conflict of Interest Code for the Ethics Commission.

Commissioner Hamilton Pating designated, without objection, Commissioner Kalb to work with the City Attorney's office on the preparation of a Conflict of Interest Code for the Ethics Commission. This Code will be presented to the Commission for consideration at a subsequent meeting.

Speakers: David Benjamin, Deputy City Attorney; Randy Riddle, Deputy City Attorney.

IX. SETTING AGENDA FOR SUBSEQUENT MEETING

ACTION: The following items were suggested for inclusion in the July 11, 1994, Commission agenda:

1. Election of permanent officers.
2. Status reports from individuals regarding the search process for the hiring of an Executive Director, the hiring of an Interim Executive Director, review of the Ethics Commission budget, conflict of interest probe, the development of rules and regulations for education and outreach programs.
3. Public comment on qualifications of Executive Director.
4. Establishing bylaws for the Ethics Commission.
5. Presentations by Departments.
6. Designation of a spokesperson for the Commission.

X. PUBLIC COMMENT RE: ITEMS NOT ON THE AGENDA

ACTION: The privilege of the floor was granted to the following persons:

Shelley Salieri; James Chafee, Member, Sunshine Ordinance Task Force.

There being no one else present wishing to speak, the Interim Chair declared the public comment portion of the meeting closed.

MEETING ADJOURNED: 12:47 P.M.

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Ethics Commission Agenda

And Notice of Meeting for Monday, July 11,1994 2pm to 5pm
101 Grove Street San Francisco Health Department Building Room 300

I. Approval and Adoption of Minutes For Meeting of June 23, 1994

II. Discussion and Possible Action Re: Hiring of Executive Director
- **A. Status Report**
- **B. Presentation By Representative From Human Relations Commission**
- **C. Discussion and Possible Action Re: Recruitment and Posting**
- **D. Discussion and Possible Action Budget For Search Process**
- **E. Discussion and Possible Action Re: Draft Job Specification**
- **F. Public Comment (*NOTE: The draft job specification is available for public inspection in advance of the meeting. Please call Steven Fogle at 677 8668 to request a copy. Additional copies will be available at the commission meeting)**

III. Discussion and Possible Action Re: Review of Current Budget
- **A. Status Report**
- **B. Public Comment**

IV. Discussion and Possible Action Re: Adoption of Rules and Regulations For Investigations
- **A. Status Report**
- **B. Public Comment**

V. Discussion and Possible Action Re: Adoption of Rules and Regulations For Education and Outreach Programs
- **A. Status Report**
- **B. Public Comment**

VI. Discussion and Possible Action Re: Transition With City Departments Currently Performing Mandated Functions of the Ethics Commission
- A. Status Report
- B. Presentations By Departments
  - 1. District Attorney's Office
  - 2. Clerk of the Board of Supervisors
- C. Public Comment

VII. Discussion and Possible Action Re: Adopting Rules and Regulations For Ethics Commission
- A. Adoption of By-Laws
- B. Election of Permanent Officers
- C. Election of Commission Spokesperson
- D. Public Comment

VIII. Setting Agenda For Subsequent Meeting
Public Comment

IX. Public Comment Re: Matters Not On The Agenda

X. Closed Session Pursuant to Ralph Brown Act Section 54957 and Sunshine Ordinance section 67.10b: Public Employee Appointment: Interim Executive Director

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7/11/94

APPROVED: _____

REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

MINUTES

MEETING OF
ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

REVISED - OCTOBER 28, 1994

Monday, July 11, 1994 - 2:00 p.m.

101 Grove Street
San Francisco Health Department,
Room 300

Present: Commissioner Camille Hamilton Pating
Commissioner Peter Aviles
Commissioner Virginia C. Gee
Commissioner Daniel Kalb

Absent: Commissioner Jo Ann Hendricks

Acting Clerk: Janell D. Snyder

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MEETING CONVENED: 2:15 P.M.

I. APPROVAL AND ADOPTION OF MINUTES FOR MEETING OF JUNE 23, 1994

ACTION: Commissioner Gee, seconded by Commissioner Kalb, moved that the minutes of the meeting of June 23, 1994, be approved.

Motion carried by the following vote:

AYES: Commissioners Hamilton Pating, Aviles, Gee and Kalb

II. DISCUSSION AND POSSIBLE ACTION RE: HIRING OF EXECUTIVE DIRECTOR

A. Status Report
B. Presentation by representative from Human Rights Commission
C. Discussion and possible action re: Recruitment and Posting
D. Discussion and possible action re: Budget for Search Process
E. Discussion and possible action re: Draft Job Specification
F. Public Comment

ACTION: Commissioner Kalb moved that the job specification reflect the salary range of $60,000 to $70,000 per year. Commissioner Gee seconded the motion, noting that the salary range is per the recommendation and approval of the Human Resources Department.

Motion adopted by the following vote:

Ayes: Commissioners Hamilton Pating, Aviles, Gee and Kalb

Steven B. Fogle, Managing Director, The Alexander Group, presented the job specifications.

ACTION: Commissioner Gee, seconded by Commissioner Kalb, moved to adopt the amended job description, incorporating the following items into the job specifications:

1) Exempt appointment.
2) Position reports to and serves at the pleasure of the Commission.
3) An undergraduate degree and/or relevant experience is required. An advanced degree in public administration, public policy, law, or a related field is highly preferred.
4) A Background in campaign finance, public information and public meetings, and the law as it relates to government ethics.
5) A minimum of five years of increasing levels of management responsibility.
6) (Addition in Italics) Administer and enforce San Francisco's laws and rules relating to campaign contributions, registration of lobbyists, open meetings, access to public records, conflicts of interest ***and other issues relating to ethics in government.***

Motion adopted by the following vote:

Ayes: Commissioners Hamilton Pating, Aviles, Gee and Kalb

ACTION: Commissioner Aviles, seconded by Commissioner Gee, moved that the Commission make the sum of $500.00 available for the purpose of advertising the Executive Director position.

Motion adopted by the following vote:

Ayes: Commissioners Hamilton Pating, Aviles, Gee and Kalb

Commissioner Kalb, supporting the above motion, added, without objection, that he would

suggest that the Commission authorize the Alexander Group a leeway of $25.00 for advertising costs. Commissioner Gee suggested, without objection, that Commissioner Kalb be the point person for communication with the Alexander Group.

ACTION: Commissioner Gee, seconded by Commissioner Kalb, moved to adopt the amended job specification advertisement to include:

1) Three references
2) Budgetary experience;

and that,

3) The Alexander Group maintain a log of names, resumes and pertinent information about the applicants in an orderly and systematic fashion for future reference, if needed.

Motion adopted by the following vote:

Ayes: Commissioners Hamilton Pating, Aviles, Gee and Kalb

ACTION: Commissioner Gee moved, and was seconded by Commissioner Aviles, to adopt the August 31, 1994 deadline for accepting applications for the position.

ACTION: Commissioner Aviles moved, and was seconded by Commissioner Gee, to amend the motion to include the recommendation that the deadline for submitting applications must be postmarked no later than August 31, 1994, and that the commission does not guarantee the acceptance of any applications that are postmarked subsequent to August 31, 1994.

Speakers: Shelley Elvira Salieri; Anita Mayo, Pillsbury Madison & Sutro; Burke Delvanthal, Deputy city Attorney; Steven B. Fogle, Managing Director, The Alexander Group.

Motions adopted by the following vote:

Ayes: Commissioners Hamilton Pating, Aviles, Gee and Kalb.

III. Discussion and Possible Action Re: Review of Current Budget
A. Status Report
B. Public Comment

ACTION: A Special Session to review the current budget was scheduled for Tuesday, July 19, 1994, 5:30 p.m., location to be determined.

IV. Discussion and possible action Re: Adoption of Rules and Regulations for Investigations
A. Status Report
B. Public Comment

ACTION: Commissioner Aviles gave a presentation on Rules and Regulations for Investigations. Commissioner Hamilton Pating designated Commissioner Aviles, without objection, to prepare draft Rules and Regulations concerning the conduct of investigations for adoption at the next regularly scheduled meeting. Commissioner Hamilton Pating designated Commissioner Aviles, without objection, to request Darrell East of the Fair Political Practices Commission (FPPC) to attend an unspecified San Francisco Ethics Commission meeting to give a presentation on how the FPPC processes complaints and how they conduct investigations. Commissioner Aviles requested, without objection, to allow Mr. East to send a designate if Mr. East is unable to attend.

Speakers: Anita Mayo, Pillsbury Madison & Sutro

V. Discussion and Possible Action Re: Adoption of Rules and Regulations for Education and Outreach Programs.
A. Status Report
B. Public Comment

ACTION: Commissioner Aviles gave a general presentation on Adoption of Rules and Regulations for Education and Outreach Programs.

V. Discussion and Possible Action Re: Transition with City Departments Currently performing Mandated Functions of the Ethics Commission.
A. Status Report
B. Presentation by Departments
1. District Attorney's Office
2. Clerk of the Board of Supervisors

C. Public Comment

ACTION: Commissioner Hamilton Pating gave a presentation on Transition with City Departments currently performing mandated functions of the Ethics Commission. Commissioner Hamilton Pating suggested, without objection, that the Clerk of the Board of Supervisors' presentation be continued at the next regularly scheduled meeting.

Speakers: Shelley Elvira Salieri

VII. Discussion and Possible Action Re: Adopting Rules and Regulations for Ethics Commission
A. Adoption of By-Laws
B. Election of Permanent Officers
C. Election of Commission Spokesperson
D. Public Comment

ACTION: Commissioner Camille Hamilton Pating moved, and was seconded by Commissioner Aviles, that Commissioner Kalb serve as Vice-Chair

Motion adopted by the following vote:

Ayes: Commissioners Hamilton Pating, Aviles, Gee and Kalb

VIII. Setting Agenda for Subsequent Meeting
A. Public Comment

ACTION: None

IX. Public Comment Re: Matters Not on the Agenda

ACTION: None

X. Closed Session Pursuant to Ralph Brown Act Section 54957 and Sunshine Ordinance section 67.10b: Public Employee Appointment Interim Executive Director.

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Ethics Commission Agenda

And Notice of Special Session Meeting For Tuesday, July 19, 1994 5:30PM
S.F. Transportation Authority Conference Room 25th Floor
100 Van Ness Avenue

I. Discussion and Possible Action Re: Review of Current Budget
- **A. Status Report**
- **B. Presentation by Controller's Office**
- **C. Review and Possible Action Re: Draft Budget**
- **D. Public Comment**

II. Discussion and Possible Action Re: Establishment of Interim Officers

III. Closed Session Pursuant to Ralph Brown Act section 54957 and Sunshine Ordinance section 67.10b: Public Employee Appointment: Interim Executive Director

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7/19/94

APPROVED: 9-12-94

REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

MINUTES
SPECIAL MEETING OF
ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

Monday, July 19, 1994 - 5:30 p.m. 100 VAN NESS, 25th Floor
SAN FRANCISCO TRANSPORTATION AUTHORITY

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

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ACTING CLERK: JANELLE D. SNYDER

MEETING CONVENED: 5:35 PM

1. DISCUSSION AND POSSIBLE ACTION RE: REVIEW OF CURRENT BUDGET.
   A. Status Report
   B. Presentation by Controller's Office
   C. Review and Possible Action Re: Draft Budget

ACTION: On motion of Commissioner Kalb, and seconded by Commissioner Gee, the Ethics Commissioner approved the Ethics Commission Budget for the following items, with the following timelines:

	SALARY	DATE OF HIRE
Executive Director	$61,727 -75,011 (11/12th time), subtracting 1%	AUGUST 1, 1994
Special Assistant	$30,641 (3/4th time), subtracting 1%	OCTOBER 1, 1994
Clerk Typist	$28,005 (3/4th time), subtracting 1%	OCTOBER 1, 1994

AYES: Commissioners Hamilton Pating, Aviles, Gee, Hendricks, and Kalb.

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To Harry Joel	From Lynn Duncan
Co. Ethics Comm	Co. SFCTA
Dept.	Phone # 557-6950
Fax # 554-7237	Fax # 557-[illegible]

ACTION: On the motion of Commissioner Kalb, seconded by Commissioner Gee, moved to approve the budget as presented by Commission Hendricks (Attachment A) with the understanding that the final details, rounding off, and exact amounts will be worked out with Commissioner Hendricks, the City Controller, and John Taylor.

Motion adopted by the following vote:

AYES: Commissioners Hamilton Pating, Aviles, Gee, Hendricks, and Kalb.

ACTION: On the motion of Commissioner Hamilton, seconded by Commissioner Gee, moved to adopt an interim Vice-Chair.

Motion adopted by the following vote:

AYES: Commissioners Hamilton Pating, Aviles, Gee, Hendricks, and Kalb.

ACTION: Commissioner Aviles, seconded by Commissioner Kalb, moved to amend the Vice-Chair interim term limitation to December 1, 1994.

Motion adopted by the following vote:

AYES: Commissioners Hamilton Pating, Aviles, Gee, Hendricks, and Kalb.

Motion adopted by the following vote:

ACTION: Commissioner Hamilton Pating, seconded by Commissioner Aviles, moved to elect Commissioner Kalb to serve as interim Vice Chair.

Motion adopted by the following vote:

AYES: Commissioners Hamilton Pating, Aviles, Gee, and Hendricks.

MEETING ADJOURNED AT 6:33.

ATTACHMENT A

BUDGET SUMMARY
1994 - 1995
ETHICS COMMISSION

001	PERMANANT SALARIES (3)	$118,136 - 1%
060	MANDATORY FRINGE BENEFITS	$24,200
109	OTHER CONTRACTURAL SERVICES 112 - Travel 1234 - Rental of copier	 $600 $3,500
120	OTHER CURRENT SERVICES Postage	 $2,000
123	TELEPHONE	$2,600
130	MATERIALS AND SUPPLIES	$3,000
220	EQUIPMENT PURCHASE (computer/printer/fax)	$3,000
350	Reproduction	$3,800

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Ethics Commission Agenda

AND NOTICE OF SPECIAL SESSION MEETING FOR TUESDAY, AUGUST 2, 1994 8:30AM
BOARD OF SUPERVISORS CONFERENCE ROOM
SAN FRANCISCO CITY HALL ROOM 249

I. Closed Session Pursuant to Ralph Brown Act section 54957 and Sunshine Ordinance section 67.10b: Public Employee Appointment of Interim Executive Director

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Ethics Commission Agenda

AND NOTICE OF MEETING FOR MONDAY, AUGUST 8, 1994 2:OOPM
E.R.D. CONFERENCE ROOM, FOX PLAZA MEZZANINE SUITE 230
1390 MARKET STREET

I. Approval and Adoption of Minutes
   A. Regular Meeting of July 11, 1994
   B. Special Meeting of July 19, 1994

II. Discussion and Possible Action Re: Hiring of Permanent Executive Director
   A. Status Report
   B. Review of and Possible Action Re: Search Process

III. Discussion and Possible Action Re: Budget
   A. Status Report
   B. Review of and Possible Action Re: Review and Adoption of Budget

IV. Status Report Re: Adoption of Rules and Regulations For Investigations

V. Status Report Re: Adoption of Rules and Regulations For Education and Outreach Programs

VI. Discussion and Possible Action Re: Transition With City Departments Currently Performing Functions of The Ethics Commission
   A. Status Report
   B. Presentation By District Attorney's Office
   C. Presentation By Registrar of Voters

VII. Status Report Re: Adopting Bylaws For Ethics Commission

VIII. Discussion and Possible Action Re: Orientation For Ethics Commission
   Presentation By Center For the Common Good

IX. Setting Agenda For Next Meeting

X. Discussion and Possible Action Re: Changing Date of Next Regular Meeting

XI. Public Comment Re: Matters Not On The Agenda

XII. Closed Session Pursuant to Ralph Brown Act section 54957 and Sunshine Ordinance section 67.10b: Public Employee Appointment of Interim Executive Director

Vote on Whether To Disclose Matters Occurring In Closed Sessions (July 11, July 19, August 2, and August 8, 1994)

This meeting location is wheelchair accessible. In order to allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting, individuals are requested to refrain from wearing perfume or other scented products.

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APPROVED: 10-11-94

REFER TO MINUTES OF 10-11-94
FOR DETAILS OF AMENDMENTS

MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, AUGUST ~~8, 1994~~ – 2:00 P.M.

E.R.D. CONFERENCE ROOM
FOX PLAZA MEZZANINE
1390 MARKET ST., SUITE 230

PRESENT: COMMISSIONERS CAMILLE HAMILTON PATING, PETER AVILES VIRGINIA C. GEE, JO ANN HENDRICKS, DANIEL KALB

ACTING CLERK: MARY L. RED

MEETING CONVENED: 2:10 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. APPROVAL AND ADOPTION OF MINUTES

ACTION: Commissioner Hamilton Pating advised that the Minutes of July 19, 1994 were not available and would be heard at next regular meeting.

On motion by Commissioner Hendricks, Minutes of July 11, 1994, corrected on page 1, Item 1, under Action, to change date listed as "July 11, 1994" to "June 23, 1994". Motion to correct Minutes adopted without objection.

Commissioner Gee, seconded by Commissioner Hendricks, moved that the Minutes of the meeting of June 11, 1994, be approved as corrected.

Motion carried by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5

II. DISCUSSION AND POSSIBLE ACTION RE: HIRING PERMANENT EXECUTIVE DIRECTOR
A. Status Report
B. Review of and Possible Action Re: Search Process

ACTION: Commissioner Hamilton Pating introduced representatives from The Alexander Group to give status report on search for permanent Executive Director.

Commissioner Aviles, seconded by Commissioner Kalb, moved that the candidate must have background in campaign finance, public information and public meetings, and the law as it relates to government ethics.

Commissioner Aviles, seconded by Commissioner Kalb moved that a background in law enforcement, election and campaign laws and voter registration laws be added to the preferred portion of the candidate checklist.

Commissioner Gee, seconded by Commissioner Kalb moved that senior level training and development background as it refers to educational requirements in the Charter, Section 3.699-11, number 14a, b, c, d, be added to the preferred portion of the candidate checklist.

Commissioner Hendricks, seconded by Commissioner Gee moved that all resumes and working papers relating to finalist for the position of Executive Director be kept by Mr. Fogle until closed session meeting in his office for final selection.

Commissioner Hendricks proposed, without objection that interviews for final selection be scheduled at 30 minute intervals so that resumes and pertinent information can be reviewed with Mr. Fogle.

All motions adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

A Special Session to prepare questions to ask the final candidates for permanent Executive Director was scheduled for Thursday, August 18, 1994, at 8:30 a.m., location to be decided.

A Closed Session to interview final candidates was scheduled for Wednesday, September 7, 1994, at 2:00 p.m. at 465 California Street, Suite 514, offices of The Alexander Group.

Speakers: Randy Riddle, Deputy City Attorney; Angela J. Chow and Steven B. Fogle, Managing Director, The Alexander Group; Shelley Salieri.

III. DISCUSSION AND POSSIBLE ACTION RE: BUDGET
A. Status Report
B. Review of and Possible Action Re: Review and Adoption of Budget

ACTION: Commissioner Gee, seconded by Commissioner Kalb, moved that the Budget be adopted as amended and transmitted to Board of Supervisors with transmittal letter requesting it to be heard before the Budget Committee as soon as possible.

Commissioner Aviles, seconded by Commissioner Gee moved that when the Chair of the Ethics Commission goes before the Budget Committee of the Board of Supervisors to request the release of reserved funds for their Budget, information from the Fair Political Practice Commission should be mentioned regarding the inadequate amount of funds allocated to the Ethics Commission to carry out their mandated duties.

Motions adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb – 5.

Speakers: Andrea Ball; Shelley Salieri.

IV. STATUS REPORT RE: ADOPTION OF RULES AND REGULATIONS FOR INVESTIGATIONS.

ACTION: Commissioner Aviles made a presentation on information gathered from the Fair Political Practice Commission and the Ethics Commission in Los Angeles. He will have a draft of the Rules and Regulations to present in September. Commissioner Hamilton Pating suggested, without objection, that Commissioner Aviles check with the Ethics Commission in Hawaii for information also.

Speakers: None.

V. STATUS REPORT RE: PROPOSED PLAN FOR RULES AND REGULATIONS FOR EDUCATION AND OUTREACH PROGRAMS UNDER CHARTER SECTION 3.699 (13-14)

ACTION: Commissioner Gee made presentation regarding sources contacted thus far (Standford University and the Human Resources Commission), and indicated she would continue her research. Commissioner Kalb suggested she contact the Federal Communication Commission, as they do seminars on this subject.

Speakers: None.

VI. DISCUSSION AND POSSIBLE ACTION RE: TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION
A. Presentation by District Attorney's Office
B. Presentation by Registrar of Voters Office

ACTION: Presentations made and discussion on various duties completed.

Speakers: Tom Bogott, District Attorney's Office; Randy Riddle, Deputy City Attorney; Naomi Nishioka, Registrar of Voter's Office.

VII. STATUS REPORT RE: ADOPTING BYLAWS FOR ETHICS COMMISSION

ACTION: Same discussion as item V.

VIII. DISCUSSION AND POSSIBLE ACTION RE: ORIENTATION FOR ETHICS COMMISSION
A. Presentation by Center for the Common Good.

ACTION: Martin Paley, Director, Center for the Common Good submitted proposal to assist the Commission in establishing a Code of conduct. His services would also design and conduct an orientation session for the Commission.

Commissioner Aviles, seconded by Commissioner Gee moved to authorize Deputy City Attorney, Randy Riddle to keep Mr. Paley informed of the legal issues concerning open meetings prior to the Commission setting a specific date to meet with Mr. Paley.

Motion adopted by the following vote:

Ayes: Hamilton Pating, Aviles, Gee, Hendricks, Kalb - 5.

Speakers: Martin Paley; Randy Riddle; Shelley Salieri.

IX. SETTING AGENDA FOR SUBSEQUENT MEETING

ACTION: The following items were suggested for inclusion in the September 12, 1994, Commission agenda:

1. Approval and Adoption of Minutes

2. Discussion and possible action regarding hiring of Permanent Executive Director.

3. Status reports regarding adoption of Rules and Regulations for investigations.

4. Status reports regarding proposed plan for rules and regulations for education and outreach programs under Charter Section 3.699 (13–14); and adopting bylaws for the Ethics Commission.

5. Discussion and Possible action regarding transition with City Departments currently performing functions of the Ethics Commission.

6. Status report regarding interim Director.

X. DISCUSSION AND POSSIBLE ACTION RE: CHANGING DATE OF NEXT REGULAR MEETING

ACTION: The next regular meeting will be Monday, September 12, 1994; Commissioner Kalb will not be in attendance.

XI. PUBLIC COMMENT RE: ITEMS ON OR NOT ON THE AGENDA

ACTION: The privilege of the floor was granted to the following persons:

Shelley Salieri; Anita Mayo, Pillsbury, Madison & Sutro.

There being no one else present wishing to speak, the Chair declared the public comment portion of the meeting closed.

XII. CLOSED SESSION PURSUANT TO RALPH BROWN ACT SECTION 54957 AND SUNSHINE ORDINANCE SECTION 67.10b: PUBLIC EMPLOYEE APPOINTMENT OF INTERIM EXECUTIVE DIRECTOR.

ACTION: The Ethics Commission found that it is in the best interest of the Commission not to disclose any information revealed in its closed session deliberations in the proposed item listed above at this time as no appointment was made.

MEETING ADJOURNED: 7:00 P.M.

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Ethics Commission Agenda

AND NOTICE OF SPECIAL SESSION MEETING
FOR THURSDAY, AUGUST 11, 1994 10:00AM
SAN FRANCISCO CITY HALL ROOM 289

I. Call To Order

II. Public Comment On Any Matter Appearing Or Not Appearing On The Agenda

III. Closed Session Pursuant To Brown Act Section 54957 and Sunshine Ordinance section 10.b: Public Employee Appointment of Interim Executive Director

IV. Vote On Whether To Disclose Matters Occurring In Closed Session (July 11, July 19, August 2, August 8 and August 10, 1994)

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Ethics Commission Agenda

AND NOTICE OF SPECIAL SESSION MEETING

THURSDAY AUGUST 18, 1994 8:30AM

THE ALEXANDER GROUP CONFERENCE ROOM

465 CALIFORNIA STREET SUITE 514 SAN FRANCISCO

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I. Call To Order

II. Discussion and Possible Action Re: Interview Questions For Applicants For Executive Director
   A. Presentation By The Alexander Group
   B. Adoption of Interview Questions

NOTICE: IT IS EXPECTED THAT CANDIDATES FOR THE EXECUTIVE DIRECTOR POSITION WILL NOT ATTEND THIS MEETING OR OBTAIN ANY INFORMATION CONCERNING OF THE INTERVIEW QUESTIONS OR ANY DRAFTS THEREOF PRIOR TO THE INTERVIEW PROCESS.

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APPROVED: 10 11 94

REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

Minutes of the Special Meeting of the San Francisco Ethics Commission – August 18, 1994

The meeting was called to order at 8:45 am at the offices of The Alexander Group

Commissioners Pating (chair), Aviles, Gee, Hendricks, and Kalb were in attendance. Steven Fogle and Angela Chow of The Alexander Group were also in attendance, as was Shelley Salieri.

During the public comment period, a suggestion was made to find a permanent meeting room, possibly at 1660 Mission street.

The rest of the meeting consisted of a discussion on interview questions for applicants for the Executive Director position.

Steven Fogle of The Alexander Group presented a strategy for the interview process. He pointed out that there will be at least 2 rounds of interviews. He suggested that the first round should consist of more general questions. The second round would be more specific and tailored to each finalist.

Categories of suggestion questions include: General background, strategic planning, supervision/management, ethics in govt. experience, and commission/board experience.

Commissioner Gee suggested that the Commission makes sure questions are specific in order to avoid unnecessarily lengthy, rambling responses.

Mr. Fogle suggested that we tell each candidate how long the interviews will be.

Commissioner Kalb shared his suggestions regarding the proposed questions.

Commissioner Aviles supported the proposed questions and specifically he agreed with the suggestion that a question be asked about the candidates background in governmental ethics.

Commissioner Gee made suggestions to make some of the questions more specific.

Commissioner Pating praised the set of proposed questions and made a specific suggestion regarding background in law enforcement of relating to ethics laws.

Commissioner Pating suggested a question about how they see the role of personal integrity. Further, Comm. Pating suggested that we need to find out if there is anything in a candidate's background that may reflect on their integrity of the appearance of their integrity.

Commissioner Hendricks suggested that we give a written question to the finalists.

Shelley Salieri reminded the Commission that writing samples should be obtained from all finalists.

Commissioner Kalb reiterated that the finalists should asked for writing samples. Mr. Fogle suggested that the writing samples requests could be tailored to each candidate's background.

Mr. Fogle suggested that each commissioner be assigned specific questions to ask. The Commission agreed.

Mr. Fogle initiated a brief discussion on a suggested appraisal sheet.

Various questions were assigned to points on the appraisal sheet.

Commissioners Hendricks and Gee wanted to make sure that all the questions are covered in the appraisal sheet.

Commissioner Pating suggested that we not use actual numbers to rate the candidates during the first round. The Commission agreed.

The Alexander Group was asked to re-write the questions based on the Commissioners' comments.

Commissioner Aviles identified the appraisal sheet as a work product for discussion purposes.

The Commission had a brief discussion on the confidentiality of notes.

Commissioner Kalb suggested that we put our initials on our appraisal sheets.

The Alexander Group said that they will send out an affirmative action form to the candidates. Kalb suggested that sexual orientation be added to the list of questions. The Alexander Group noted that the form is voluntary.

Mr. Fogle brought up the issue of travel expenses for out-of-town candidates. The Commission consensus was that there is not sufficient funds for a travel budget for candidates.

Mr. Kalb suggested that phone interviews for the first round may be acceptable. The Commission agreed.

Meeting adjourned at approximately 10:20 am

submitted by Commissioner KALB

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Ethics Commission Agenda

AND NOTICE OF SPECIAL SESSION MEETING
WEDNESDAY, SEPT. 7, 1994 2:00PM
465 CALIFORNIA STREET, SUITE 514, SAN FRANCISCO

I. Call To Order

II. Public Comment On Items Appearing Or Not Appearing On The Agenda

III. Closed Session Pursuant To Ralph Brown Act Section 54957 and Sunshine Ordinance Section 67.10(b): Public Employee Appointment of Executive Director

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APPROVED: 11-14-94

REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

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Ethics Commission

MINUTES

SPECIAL MEETING OF ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, SEPTEMBER 7, 1994 - 2:00 P.M. SUITE 514
465 CALIFORNIA STREET

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

IN ATTENDANCE: HARRY W. JOEL, INTERIM EXECUTIVE DIRECTOR

MEETING CONVENED: 2:15 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT RE: ITEMS NOT ON THE AGENDA

ACTION: The privilege of the floor was granted to the following person:

Harry W. Joel

There being no one else present wishing to speak, the Chair declared the public comment portion of the meeting closed.

II. CLOSED SESSION PURSUANT TO RALPH BROWN ACT SECTION 54957 AND SUNSHINE ORDINANCE SECTION 67.10b: IDENTIFICATION OF CANDIDATES FOR EXECUTIVE DIRECTOR.

MEETING ADJOURNED: 4:15 P.M.

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Ethics Commission Agenda

AND NOTICE OF MEETING FOR MONDAY SEPTEMBER 12, 1994 2:00PM
1600 MISSION STREET SUITE 2001 SAN FRANCISCO

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I. Call To Order

II. Approval and Adoption of Minutes
   A. July 19, 1994
   B. August 8, 1994

III. Discussion and Possible Action Re: Orientation For Ethics Commission
   Presentation By Center For The Common Good

IV. Discussion and Possible Action Re: Hiring of Executive Director
   A. Status Report
   B. Review and Possible Action Re: Search Process

V. Interim Director's Report

VI. Discussion and Possible Action Re: Budget
   Status Report

VII. Discussion and Possible Action Re: Adoption of Rules and Regulations For Investigations
   A. Status Report
   B. Presentation of Proposed Rules and Regulations For Investigations

VIII. Status Report Re: Adoption of Proposed Plan for Education and Outreach Programs

IX. Status Report Re: Adoption of Bylaws For Ethics Commission

X. Status Report Re: Transition With City Departments Currently Performing Functions of the Ethics Commission

XI. Discussion and Possible Action Re: Request For Investigation From the Economic Vitality and Social Policy Committee
Adoption of interim policies concerning requests for investigation
A. Confidentiality
B. Response To Complaints

XII. Discussion and Possible Action Re: Educational Trips and Conferences
A. Meeting with L.A. Ethics Commission
B. COGEL Conference

XIII. Setting Agenda For Next Meeting

XIV. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XV. Adjournment

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ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR MONDAY SEPTEMBER 12, 1994 3:00 PM
1600 MISSION STREET SUITE 2001 SAN FRANCISCO

I. Call To Order

II. Approval and Adoption of Minutes
A. July 19, 1994
B. August 8, 1994

III. Discussion and Possible Action Re: Orientation For Ethics Commission
Presentation by Center For The Common Good

IV. Discussion and Possible Action Re: Hiring of Executive Director
A. Status Report
B. Review and Possible Action Re: Search Process

V. Interim Director's Report

VI. Discussion and Possible Action Re: Budget Status Report

VII. Discussion and Possible Action Re: Adoption of Rules and Regulations For Investigations
A. Status Report
B. Presentation of Proposed Rules and Regulations For Investigations

VIII. Status Report Re: Adoption of Proposed Plan for Education and Outreach Programs

IX. Status Report Re: Adoption of Bylaws For Ethics Commission

X. Status Report Re: Transition With City Departments Currently Performing Functions of the Ethics Commission

XI. Discussion and Possible Action Re: Request For Investigation From the Economic Vitality and Social Policy Committee
Adoption of interim policies concerning requests for investigaiton
A. Confidentiality
B. Response to Complaints

XII. Discussion and Possible Action Re: Education Trips and Conferences
A. Meeting with L.A. Ethics Commission
B. COGEL Conference

XIII. Setting Agenda For Next Meeting

XIV. Discussion and Possible Action Re: Resolution Approving a Conflict of Interest Code and Recommendation for Adoption By the Board of Supervisors

XV. Discussion and Possible Action Re: Amendment For Limits On Contributions To Controlled Ballot Measure Committees

XVI. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XVII. Adjournment

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APPROVED: 10-11-94

REFER TO MINUTES OF 10-11-94
FOR DETAILS OF AMENDMENTS

MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, SEPTEMBER 12, 1994 -- 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT: COMMISSIONERS PETER AVILES, VIRGINIA C. GEE, JO ANN HENDRICKS, DANIEL KALB

ABSENT: COMMISSIONER CAMILLE HAMILTON PATING

GUESTS: HARRY JOEL, RANDY RIDDLE

CLERK: JENNY FUNG

MEETING CONVENED: 2:10 P.M.

COMMISSIONER DANIEL KALB, VICE CHAIR, PRESIDED IN THE ABSENCE OF THE INTERIM CHAIR, COMMISSIONER CAMILLE HAMILTON PATING.

I. APPROVAL AND ADOPTION OF MINUTES
A. July 19, 1994
B. August 8, 1994

The minutes of the July 11, July 19, August 8, and August 18, 1994, meetings were received.

ACTION: Commissioner Gee, seconded by Commissioner Hendricks, moved that the minutes of the meeting of July 19, 1994, be approved.

Motion carried by the following vote:

Ayes: Kalb, Aviles, Gee, Hendricks -- 4

ACTION: The minutes of the August 8, 1994, meeting will be revised to include more detailed information on Naomi Nishioka's presentation and will be re-submitted for approval at the October 11, 1994, meeting.

Because the minutes of July 11 and August 18 were not on the agenda, they will be submitted for approval at the October 11, 1994, meeting.

II. DISCUSSION AND POSSIBLE ACTION REGARDING ORIENTATION FOR ETHICS COMMISSION
Presentation by the Center for the Common Good

Commissioner Gee was excused from this discussion since she serves on the Board of Directors of the Center for the Common Good.

A presentation was made by Martin Paley and Gordon Firestein from the Center for the Common Good. They would like to offer their technical consulting services by facilitating an off-site retreat to assist in identifying the fundamental values, goals, responsibilities, and tasks necessary to complete the set-up process for the San Francisco Ethics Commission, as well as conducting a series of interviews with each commissioner. Mr. Paley stressed that their role was to stimulate thoughts and not to collect information.

Commissioner Aviles felt that meeting with the Los Angeles Ethics Commission to learn from their experiences prior to meeting with the Center for the Common Good would be more productive. Commissioner Hendricks felt that the commissioners should meet initially as a group to form a basic understanding before an Executive Director is named. Commissioner Hendricks questioned the legality of holding private meetings, and Mr. Riddle said that it would acceptable to hold the meetings if it were done through public meetings.

Shelley Salieri agreed and would like it to be a public meeting for laying down the foundation in accordance with the Sunshine Ordinance and Brown Act.

ACTION: Commissioner Aviles, seconded by Commissioner Hendricks, moved that, subject to the approval of the City Attorney's Office, the Commission accepts the proposal that is being offered through Mr. Paley on behalf of the Center for the Common Good.

Motion was carried by the following vote:

Ayes: Kalb, Aviles, Hendricks -- 3

Randy Riddle will have a private meeting with Mr. Paley to determine whether the one-on-one interviews will be private or public. Subsequent to and accordance with that determination, meetings will take place and a tentative group meeting has been set up for Saturday, November 5, with an alternate date set for Sunday, November 6. The exact time will be determined (perhaps 9 a.m. - 4:30 p.m.). Mr. Joel will work with Mr. Paley to determine the least expensive, yet comfortable, location to hold this meeting.

III. DISCUSSION AND POSSIBLE ACTION REGARDING HIRING OF EXECUTIVE DIRECTOR

A. Status Report

B. Review and Possible Action Regarding Search Process

Commissioner Kalb stated that there is no Action Item B. He reported that, with assistance from The Alexander Group, 87 resumes were received and 10 candidates were selected as the semi-finalists. The search process will continue with second interviews to be held to determine the finalists. When the finalists are identified, their names will be made public.

IV. INTERIM DIRECTOR'S REPORT

Mr. Joel reported that the majority of his time has been spent in establishing the administrative components of the San Francisco Ethics Commission. The office is now located in Room 251-B, second floor, City Hall, and will remain there through the end of the year. The office will be vacated due to seismic upgrading beginning in 1995, and the tentative office space identified will be in the War Memorial Building. Mr. Joel will work with the City Architect's Office to finalize the plans.

New telephones (two forthcoming) have been ordered, and a facsimile machine and three personal computers will be ordered. Furniture not being used was found so that no desks or file cabinets need to be purchased. The furniture is scheduled to be moved into the office this week.

Mr. Joel made significant contact with the Los Angeles Ethics Commission, and a proposal was made that either the San Francisco Ethics Commissioners go to Los Angeles or have Ben Bycel, Executive Director of the Los Angeles Ethics Commission, and/or his assistant come to San Francisco to meet with the San Francisco Ethics Commission and offer insight and assistance from their experiences. The materials sent from the Los Angeles Ethics Commission will serve as a good reference.

Mr. Joel attended a seminar on Campaign Finance Disclosure Reporting presented by the FPPC held at City Hall on August 23, 1994. He is working closely with Ann Godfrey, Operations Officer in the Human Resources Department, on the recruitment of the support staff. Mr. Joel is finalizing the job descriptions and is working with Megan Levitan, who is currently performing the Whistle Blower function. Once the job descriptions are finalized, they will be forwarded to the Human Resources Department to begin the recruitment process.

Once the support staff candidates are identified, the permanent Executive Director will be able to interview candidates and not have to start the recruitment process from the beginning. Commissioner Kalb requested an opportunity to review the job descriptions prior to publicizing them. He also commented that he would like the Whistle Blower title changed to reflect more authority. Commission Gee requested an organizational chart to view how the commission will evolve once the staff has been identified.

Mr. Joel and Commissioner Gee will meet on September 21, 1994, at 12 noon with Edwin Lee, Director of the Human Rights Commission, to learn more about Mr. Lee's insights and experience when he ran the Whistle Blower Program.

Mr. Joel and Commissioner Pating met on August 31 to discuss the minor reductions in the budget, which was approved at approximately $161,000. Jenny Fung has been hired through the Registrar's Office as a temporary worker to take minutes and provide clerical support to Mr. Joel.

A mailing list for future meetings and agenda will be maintained. Minutes will be available at the meeting or for pick up at the San Francisco Ethics Commission office; or, if a stamped, addressed envelope is provided, the minutes will be sent. Any incurred postage costs will be monitored.

Mr. Joel met with various departments to learn more of the nature of the work they perform so that the Commission will be better prepared for a smooth transition of the responsibilities from the other departments to the Ethics Commission and to promote and ensure a harmonious relationship.

V. DISCUSSION AND POSSIBLE ACTION REGARDING BUDGET STATUS REPORT

The budget breakdown by line item on salaries, fringe benefits, materials, and other equipment was provided to the commissioners at the September 7 meeting. Other than having one printer deleted and a $250 mandatory reduction for other non-personnel items, the budget remained the same. Commissioner Kalb thanked Commissioner Hendricks, Mr. Joel, and Commissioner Pating for their assistance in this matter.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF RULES AND REGULATIONS FOR INVESTIGATIONS

A. Status Report

B. Presentation of Proposed Rules and Regulations for Investigations

Commissioner Aviles presented the first draft of the proposed rules and regulations for investigations which was adapted from the rules and regulations used by the Los Angeles Ethics Commission which were developed in conjunction with the FPPC and with Mr. Riddle of the City Attorney's Office. Commissioner Aviles also added that, if the Commission would pay for the roundtrip airfare to fly Mr. Bycel and/or his assistant from Los Angeles to San Francisco, Mr. Bycel and/or his assistant would meet with the Commission to give us more insight into the Los Angeles Ethics Commission, the rules and regulations, and other pertinent areas. It was Mr. Bycel's suggestion that the San Francisco Ethics Commission have all the rules and regulations in place before attempting to conduct any investigations.

The plan is to submit the draft to the FPPC and Los Angeles Ethics Commission for their review, comments, and criticism. Mr. Bycel also urged that, before finalizing the rules and regulations, the San Francisco Ethics Commission consult with the Los Angeles Ethics Commission to learn of the difficulties encountered in implementing the rules and regulations. Commissioner Gee commented that she did not want to see the "piece mail" approach being used and that we needed to figure out a strategy on how to proceed and to continue to fine tune the plan before consulting with the Los Angeles Ethics Commission. Commissioner Aviles responded that it was important to consult with others and that Mr. Bycel's suggestion was to do it right the first time to avoid any due process issues. Commissioner Kalb said that, to avoid a lengthy discussion today, we will send the draft to Robert Stern in Los Angeles for review, that a special meeting will be set up to discuss this matter further, and that the public will be informed through notices.
Mr. Joel will track this project.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING EDUCATION TRIPS AND CONFERENCES

A. Meeting with Los Angeles Ethics Commission

B. COGEL Conference

Commissioner Kalb supports the idea of having representatives from the Los Angeles Ethics Commission coming here for the purpose of assisting us in setting up of the San Francisco Ethics Commission so that we may move ahead with the investigations and that it will be an opportunity for all of the commissioners to meet with them. Mr. Joel and Commissioner Aviles will contact the Los Angeles Ethics Commission to determine a date and how much time will be needed to spend on setting up the rules and regulations, which will be a top priority.

ACTION: Commissioner Hendricks, seconded by Commissioner Aviles, moved that reimbursement for two roundtrip airfares from Los Angeles and San Francisco be approved and that additional discussion topics for this meeting will be determined.

Motion carried by the following vote:

Ayes: Kalb, Aviles, Gee, Hendricks -- 4

The 16th annual COGEL conference will be held in Honolulu from December 4 - December 7, 1994, and Mr. Bycel advised that the commissioners attend, as this is one of the most informative conferences. Information on this conference will be available in the San Francisco Ethics Commission office. The registration fee is $350 for the four-day conference, and the hotel rate is $75 per night.

VIII. STATUS REPORT REGARDING ADOPTION OF PROPOSED PLAN FOR EDUCATION AND OUTREACH PROGRAMS

Commissioner Gee reported that, at this time, information was still being gathered regarding the education and outreach programs.

IX. STATUS REPORT REGARDING ADOPTION OF BYLAWS FOR ETHICS COMMISSION

Commissioner Gee will meet with Mr. Joel to discuss the bylaws for the Ethics Commission. An agenda item for next month's meeting will be the progress report of this project. If the bylaws are ready, they will be available to the public.

X. STATUS REPORT REGARDING TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION

Due to Commissioner Pating's absence today and her involvement in the matter, this agenda item will be postponed until next month.

XI. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR INVESTIGATION FROM THE ECONOMIC VITALITY AND SOCIAL POLICY COMMITTEE ADOPTION OF INTERIM POLICIES CONCERNING REQUESTS FOR INVESTIGATION

A. Confidentiality

B. Response to Complaints

A letter dated July 14 from John Taylor, Clerk of the Board of Supervisors, to Commissioner Pating was reviewed. The letter requested that the Ethics Commission investigate the Juvenile Probation Commission to determine if violations of the Brown Act and/or Sunshine ordinance have occurred with regard to the commission's consideration of the status of the Chief Probation Officer.

There will be a meeting on Wednesday, September 21, at 4 p.m. in Room 2001 at 1660 Mission Street which will be attended by Mr. Chaffee from the Sunshine Ordinance Task Force and Mr. Riddle from the City Attorney's Office.

Based on his discussions with the Executive Director of the Los Angeles Ethics Commission, Commissioner Aviles urged that our commission not conduct any investigations until the rules and regulations are in place and suggested that we decline to conduct any investigations at this time until the rules and regulations are in place. Mr. Bycel had cautioned that the San Francisco Ethics Commission be very careful in handling these matters because of the due process issues raised in connection with investigations that have been conducted by the Los Angeles Ethics Commission. Commissioners Gee and Hendricks suggested that the matter be deferred to the Chair. The Commission needs to respond formally to this request, with reference made to the late appointment of the Commission and that the Commission looks forward to handling the matter in the future. Commissioner Kalb added that the Commission prefers to investigate the matter in a thorough, professional, and competent manner and will do so at a later time.

Commissioner Gee suggested that we focus on our priorities and that, since the Commission cannot comply with the request at this time, the request should be forwarded to the City Attorney's Office. Commissioner Aviles mentioned that one possible alternative, according to a mandate in the Charter, is to submit the complaint to the District Attorney and City Attorney's offices for their review after the Executive Director has determined that a violation exists.

Shelley Salieri and Anita Mayo, Esq., recommended that we defer this matter until a later time.

ACTION: Commissioner Gee moved, and Commissioner Hendricks seconded, that the Chair work with Mr. Joel in drafting a letter to respond to this request and to create a form letter to respond to future requests prior to setting up the rules and regulations of the Commission.

Motion carried by the following vote:

Ayes: Kalb, Aviles, Gee, Hendricks -- 4

It was not necessary to discuss the confidentiality issue at this time since there will be no investigations conducted at this time. Commissioner Aviles raised the question of whether or not the receipt of a the complaint should be treated confidentially. Commissioner Kalb responded that the Charter states that confidentiality is to be maintained prior to the determination of a probable cause as soon as the complaint is received.

XII. DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION APPROVING A CONFLICT OF INTEREST CODE AND RECOMMENDATION FOR ADOPTION BY THE BOARD OF SUPERVISORS

ACTION: Commissioner Gee moved, and Commissioner Hendricks seconded, that the positions of commissioners, executive director, investigators, whistle blower, auditors, and consultants be subject to the Conflict of Interest Code under Level 1 of the disclosure category.

Motion carried by the following vote:

Ayes: Kalb, Aviles, Gee, Hendricks -- 4

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING AMENDMENT FOR LIMITS ON CONTRIBUTIONS TO CONTROLLED BALLOT MEASURE COMMITTEES

Commissioner Kalb made reference to the memorandum dated August 29 to Commissioner Pating regarding campaign contribution limits. Because contributions given to a committee controlled by an elected official or a candidate could influence the decision-making process, Commissioner Kalb felt that the Commission should support this ordinance to make it more difficult for a politician to support committee measures if he/she did have control of the committee.

Commissioner Aviles said that the Ethics Commission should respond that it has reviewed the ordinance, found nothing objectional, and would appreciate being kept informed of any changes. Commissioner Kalb was very disappointed that no action was taken since it would be construed that the Ethics Commission was not being supportive and appeared to be indecisive.

XIV. SETTING AGENDA FOR NEXT MEETING

All ongoing projects will have progress reports. Due to the Columbus Day holiday on the second Monday of October, the next Ethics Committee meeting will be held on Tuesday, October 11, 1994, at 1660 Mission Street, Suite 2001, at 2:00 p.m.

XV. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

Mr. Chaffee communicated his concerns in utilizing the Center for the Common Good and their goal of developing a common process for the San Francisco Ethics Commission, as he felt it might restrict segments of the public.

MEETING ADJOURNED: 5:15 P.M.

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ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR OCTOBER 6, 1994, 4:00 P.M.
1660 MISSION STREET, 2ND FLOOR CONFERENCE ROOM
SAN FRANCISCO

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I. Call to Order

II. Discussion and Possible Action Re: Amendment to Executive Director Search Process: Compliance With Sunshine Ordinance

III. Public Comment Re: Matters Appearing or Not Appearing On the Agenda

IV. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

V. Discussion and Possible Action Re: Disclosure of Closed Session Discussions and Actions pursuant to Sunshine Ordinance, Section 69.14 (a).

A. Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed sessions deliberations in pending interviews and selection of candidates for Executive Director.

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REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, OCTOBER 6, 1994 — 1660 MISSION ST., SUITE 2031

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

IN ATTENDANCE: STEVEN FOGLE, THE ALEXANDER GROUP
HARRY W. JOEL, INTERIM EXECUTIVE DIRECTOR

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 4:15 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. DISCUSSION AND POSSIBLE ACTION REGARDING AMENDMENT TO EXECUTIVE DIRECTOR SEARCH PROCESS: COMPLIANCE WITH SUNSHINE ORDINANCE

At the September 12 Ethics Commission Meeting, the Commission discussed the next step in the search process for the Executive Director's position. Although semi-finalists were identified, a procedural problem was noted in that, because of the lack of necessary advance posting of public notification regarding the meeting at which the interviews were conducted, the interviews were deemed incomplete. No action was taken because of this incompletion.

ACTION: Commissioner Kalb, seconded by Commissioner Hendricks, moved that, in order to resolve the improper notification time identified in the previous interviews and for purposes of fundamental fairness, the City Attorney's recommendation that the interviews reconvene be taken with the following conditions to apply: Each interviewee will be asked the same questions during the same length of time; each interviewee will be informed that the decision will be based solely on the performance of the new interview; the Commission will disregard any information obtained from the first interview; a new search group consisting of Commissioners Pating, Hendricks, and Kalb will be in charge of the recruitment; and each interviewee will be informed that, in order to be considered for potential advancement, he/she understands and consents to be interviewed based on the conditions stated above.

Commissioner Kalb commented that it was very clear and accurate and that this suggestion was the most prudent and efficient way of proceeding.

No public comment was made.

Motion carried by the following vote

Aye: Pating, Hendricks, Kalb -- 3

II. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

No comments were brought forth from the public.

The special meeting was temporarily adjourned at 4:25 p.m. for the closed session discussion as described in "III" and will reconvene with "IV."

III. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597, AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR.

IV. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a).

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of candidates for Executive Director.

ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR OCTOBER 9, 1992 11:00 A.M.
1660 MISSION STREET, SECOND FLOOR CONFERENCE ROOM
SAN FRANCISCO

I. Call to Order

II. Public Comment Re: Matters Appearing or Not Appearing On the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Re: Disclosure of Closed Session on Discussions and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a).

A. Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

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MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

SUNDAY, OCTOBER 9, 1994 — 1660 MISSION ST., SUITE 2031

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 11:00 A.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

No comments were brought forth from the public.

The special meeting was temporarily adjourned at 11:05 A.M. for the closed session discussion as described in "II" and will reconvene with "III."

II. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597, AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR.

The special meeting reconvened at 1:55 p.m. with Item III.

III. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a).

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

ACTION: Commissioner Kalb, seconded by Commissioner Hendricks, moved that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

Motion carried by the following vote:

Ayes: Pating, Hendricks, Kalb -- 3

MEETING ADJOURNED: 2 P.M.

Ethics Commission Agenda

AND NOTICE OF MEETING FOR TUESDAY, OCTOBER 11, 1994 2:00PM
1660 MISSION STREET, SUITE 2001 SAN FRANCISCO

I. Call To Order

II. Approval and Adoption of Minutes
   A. Meeting of July 11, 1994
   B. Revised Minutes for Meeting of August 8, 1994
   C. Meeting of August 18, 1994
   D. Meeting of September 12, 1994

III. Discussion and Possible Action Re: Orientation For Ethics Commission
   Status Report

IV. Discussion and Possible Action Re: Hiring of Executive Director
   Status Report

V. Interim Director's Report

VI. Discussion and Possible Action Re: Regulations of The San Francisco Ethics Commission for Investigations and Enforcement Proceedings: First Draft
   A. Review and Discussion By Commission
   B. Public Comment
   C. Revision, Further Discussion and/or Adoption of Regulations

VII. Status Report Re: Adoption of Proposed Plan for Education and Outreach Program

VIII. Discussion and Possible Action Re: San Francisco Ethics Commission Bylaws: Draft Two
   A. Presentation of Draft Two of Proposed Bylaws
   B. Review and Discussion By Commission

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C. Public Comment
D. Revision, Further Discussion and/or Adoption of Bylaws

IX. Status Report Re: Transition With City Departments Currently Performing Functions of the Ethics Commission

X. Discussion and Possible Action Re: Educational Trips and Conferences
Request For Authorization To Attend COGEL Conference At Commissioners' Own Expense

XI. Discussion and Possible Action Re: Appointment of Committee To Recommend Actions For Improvement of Governmental Ethics

XII. Setting Agenda For Next Meeting

XIII. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XIV. Closed Session Pursuant To Ralph Brown Act section 54597 and Sunshine Ordinance section 67.10(b): Public Employee Appointment of Executive Director

XV. Discussion and Possible Action Re: Disclosure of Closed Session Discussions and Actions Pursuant to Sunshine Ordinance section 69.14(a)
A. Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of candidates for Executive Director

XVI. Adjournment

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APPROVED: 11-14-94

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MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, OCTOBER 11, 1994 -- 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT: COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE,
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB
COMMISSIONER CAMILLE HAMILTON PATING

IN ATTENDANCE: HARRY JOEL, RANDY RIDDLE

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 2:40 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. DISCUSSION AND POSSIBLE ACTION REGARDING ORIENTATION FOR ETHICS COMMISSION
Status Report

Commissioner Pating reported that she met with Martin Paley, Director of the Center for the Common Good and that the commission planning retreat will be held on Saturday, November 5, at USF, University Center Building, Golden Gate Avenue at Kittredge Terrace, Room 417, near the Chancellor's office. The agenda for the meeting will be posted 15 days prior to the meeting date, and directions and agendas will be available at the Ethics Commission office. The retreat will be an open meeting beginning at 9:00 a.m. and ending at 5:00 p.m. Lunch will be provided by the Center for the Common Good, and the room is being provided free of charge. Commissioner Pating stated that the issue of individual meetings with commissioners had been discussed by herself and Mr. Paley with Deputy City Attorneys Buck Delventhal and Randy Riddle of the City Attorney's Office. If Mr. Paley decides to conduct the individual meetings with the commissioners, he will do so on the day of the retreat; however, this matter has not yet been fully resolved. Mr. Paley will be interviewing the Ethics Commission appointing authorities for their input prior to the retreat. Commissioner Kalb questioned the value of having the individual meetings on the same day as the retreat and recommended that either the interviews be conducted on a day prior to the retreat or not to conduct the interviews on the same day as the retreat.

Commissioner Aviles agreed with Commissioner Kalb's comments and felt that, perhaps, a questionnaire could be submitted to the commissioners prior to the meeting. Commissioner Pating said that Mr. Paley did consider the idea of utilizing a questionnaire but rejected the idea as not being satisfactory for his purposes. Commissioner Gee asked that the Chair be the liaison who will express to Mr. Paley the commissioners' concerns.

II. DISCUSSION AND POSSIBLE ACTION REGARDING HIRING OF EXECUTIVE DIRECTOR
Status Report

Commissioner Kalb, Interim Vice Chair, stated that the first round of interviews has been completed and that nine candidates have been identified as the semi-finalists. In a closed session after today's Ethics Commission meeting, the commissioners will be recommending which candidates will be finalists. In-person interviews will then be conducted.

III. INTERIM DIRECTOR'S REPORT

Mr. Joel reported that the following items have been ordered: three personal computers, one printer, three ergonomically designed chairs, one facsimile machine, and business cards for the commissioners. A copier has been installed, and all necessary files and supplies have been ordered. A mailing list has been compiled. Mr. Joel is working with Human Resources, and the recruitment process for the support staff has begun. The current expenditures incurred are approximately $18,000, which include salaries for Mr. Joel and Ms. Fung, personal computers, fax machine, chairs, and supplies.

Mr. Joel continues to have meetings and communications with various departments to learn more about the functions that will be performed by the Ethics Commission. Commissioner Gee, Ed Lee (the former whistleblower), and Mr. Joel met to gain insight from Mr. Lee's experiences. Mr. Joel has also met with Megan Levitan, current whistleblower, to learn the complaint reporting mechanism and response.

Commissioner Gee requested that the mailing list be updated annually and suggested that fax numbers for those people on the mailing list be obtained so that the agenda may be faxed. She also wanted copies of the job descriptions on the whistleblower with the salary information and how the job has evolved over the years.

Commissioner Hendricks asked for an update regarding a permanent location for the Ethics Commission. Mr. Joel stated that no definite space allocation has been made at the War Memorial Building. This matter is still under review. Should space not be identified, the City Architect indicated that the Commission may need to find rental space. Commissioner Kalb said that, when he previously spoke with Joan Lubamersky from the Chief

Administrative Officer's office, she said that since the Ethics Commission is located at City Hall, the new location could be at Stevenson Street; but wherever the new location will be, the Commission would not have to pay rent. Mr. Joel said that Ms. Lubamersky referred him to the City Architect's office who referred his to the Real Estate office. Commissioner Pating suggested that Rudy Nothenberg from the Chief Administrative Officer's office be contacted and that Commissioner Hendricks work with Mr. Joel on this matter. Commissioner Pating found it troubling to have to use budgeted money allocated for other projects to pay for rental space, as there is a very limited budget and any surplus dollars left would be better used for investigators, auditors, education programs, and other functions directly related to the charge under the Charter.

Commissioner Kalb will give Mr. Joel his comments regarding the whistleblower job description. Commissioner Pating will leave it up to the individual commissioners to work with Mr. Joel in collecting comments on the job descriptions.

Commissioner Pating said that it would be up to Mr. Joel's decision to put together the job announcement. Commissioner Pating's requested that any comments from the commissioners be placed in the public access file.

Mr. Gillespie asked if the whistleblower function that Megan Levitan performs will continue until the Ethics Commission is ready to subsume those responsibilities, and he was advised that she would.

IV. DISCUSSION AND POSSIBLE ACTION REGARDING REGULATIONS OF THE SAN FRANCISCO ETHICS COMMISSION FOR INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS: FIRST DRAFT

A. Review and Discussion by Commissioner
B. Public Comment
C. Revision, Further Discussion and/or Adoption of Regulations

Commissioner Aviles reported that, since the presentation of the first draft, which was made available at the last Ethics Committee meeting, he and Mr. Riddle have not received any responses to the request for suggestions or revisions from the Los Angeles Ethics Commission or the FPPC, nor have there been any comments from anyone who has had an opportunity to review the rules and regulations. Any comments should be submitted to Commissioner Aviles or to Mr. Riddle.

Commissioner Gee stated that she hesitated to submit any comments until after the FPPC and the Los Angeles Ethics Commission have reviewed the draft. Commissioner Hendricks asked if it would be of any value to ask for input from the New York and Hawaii Ethics Commissions. Commissioner Kalb's alternative was to seek advice from Bob Stern's office. Commissioner Aviles said that, since the Los Angeles Ethics Commission and the FPPC

were familiar with California Law, that was the reason why they were asked to review the draft. Commissioner Aviles thought it was a good idea of Commissioner Kalb's and will seek comments from Bob Stern. Commissioner Aviles will draft a cover letter to Bob Stern requesting comments prior to the November 14 meeting. Ms. Salieri felt that there are lessons to be learned from others and that we should solicit input as widely as is practical.

Mr. Gillespie questioned the 10-day response time cited in the draft versus the response time cited in the Charter and said that there was a conflict in procedure. On Page 3, Item A of the draft, the complaint is forwarded to the District Attorney; and the decision does not rest with the Executive Director. Mr. Gillespie felt that the actions are counter-productive since they are contrary to the dictates of the Charter, and he would like to see the rules and regulations accurately reflected for an accurate determination. Commissioner Aviles' opinion was that we will accept comments at this time for the purpose of asking for public's input and will later act accordingly if warranted. This will be an inclusive procedure when requesting public comment and an opportunity for the public to give their honest impressions.

Commissioner Gee requested that a flowchart be developed, and Commissioner Pating requested that Commissioner Aviles and Mr. Riddle help create a flowchart to outline the flow of processing a complaint.

Item (c) of the Preliminary Enforcement Determination of the First Draft of the Regulations of the San Francisco Ethics Commission for Investigations and Enforcement Proceedings will be further revised, and the matter will be discussed at the next meeting. Copies will continue to be made available at the Ethics Commission office and discussions will continue. The second draft, if completed, will be made available at least one week prior to the November 14 meeting. The Ethics Commission office will maintain the latest draft of the regulations. Page numbers and line numbers will be incorporated into the draft (with the assistance of Mr. Riddle's office) to show where the additions/revisions were recommended/made and by whom in parentheses.

V. STATUS REPORT REGARDING ADOPTION OF PROPOSED PLAN FOR EDUCATION AND OUTREACH PROGRAMS

Commissioner Gee reported that the efforts were still ongoing, as there were other priorities to be addressed first.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING SAN FRANCISCO ETHICS COMMISSION BYLAWS: DRAFT TWO

A. Presentation of Draft Two of Proposed Bylaws

B. Review and Discussion by Commission

C. Public Comment
D. Revision, Further Discussion and/or Adoption of Bylaws

Commissioner Gee requested that this item be postponed until the November 14 meeting, as Draft 2 is not in a state to be reviewed as it does not reflect the proper changes which were to be indicated in the original language. The original intent was to use a cover letter to give background information and methodology, and she requested that strike-throughs be used. Commissioner Hendricks commented that this was a major project. Commissioner Gee said that she wants the comments consolidated, and there is a problem in that she is working on a Macintosh and that the Ethics Commission still does not have any computer equipment which results in Mr. Joel's working at home on his IBM personal computer clone. Mr. Riddle was recruited to assist. The commissioners will receive Draft 2 of the bylaws with the draft investigation procedure one week prior to the November 14 meeting. Commissioner Gee wants the cover letter outlining a brief background on methodology with the instructions and flowchart drafted. Public comments will be deferred until the next meeting. A file will be kept for this draft in the Public Access Files. Another problem was identified in that the Ethics Commission has not received some of its mail via the Mail Room and that some mail sent to the office has not been located.

VII. STATUS REPORT REGARDING TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION

Commissioner Pating stated that there is nothing to report at this time. She stated that any commissioner interested in a training session/meeting on the activities of the Registrar's Office to be educated in the Registrar's Office operation should let her know. The Commission has not had an opportunity to observe the campaign finance disclosure report monitoring.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING EDUCATIONAL TRIPS AND CONFERENCES
Request for Authorization to Attend COGEL Conference at Commissioners' Own Expense

Bob Stern highly recommended that the Commissioners attend the COGEL (Council on Governmental Ethics Laws) conference in Honolulu as the seminars and educational conferences deal with many topics of interest and that there would be officials and presenters from various Ethics Commissions within the United States. Commissioners Gee and Pating plan to attend this seminar, December 4 - December 7, at their own expense ($350 registration fee). Commissioner Pating felt that it would be wise to clearly delineate that they would be going as Ethics Commissioners on official business. She further clarified that acting on official commission business versus acting as a private individual needs the authorization of the Commission should the issue ever be raised.

Commissioner Kalb, seconded by Commissioner Hendricks, moved that authorization be given to the Commissioners and to thank any commissioners who wants to go to the COGEL conference at their own expense.

Commissioner Aviles expressed a concern that, if a commissioner is spending his/her own money, he/she should have the freedom to do so individually and felt that the right was being subordinated in trying to comply with the open meeting law and ethical requirements. A related issue was raised regarding leaving the state in that the Mayor and the Board of Supervisors must be informed. Commissioner Aviles proposed that the Charter Amendment regarding the leave of absence be reviewed for possible revision.

Commissioners Gee and Pating announced that they will, on their own time and expense, attend the COGEL conference. There were no objections made to their plans to attend the conference, no motion was necessary, and Commissioner Kalb withdrew his motion.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF COMMITTEE TO RECOMMEND ACTIONS FOR IMPROVEMENT OF GOVERNMENTAL ETHICS

This agenda item will be postponed until next month's meeting.

X. SETTING AGENDA FOR NEXT MEETING

The next Ethics Commission meeting will be held on Monday, November 14, 1994, at 1660 Mission Street, Suite 2001, at 2:00 p.m. There will be substantial discussion on the investigative procedures and bylaws and status reports on ongoing items. In order to recess during the December holidays, the December 12 meeting will not be held but will be combined with the November 14 meeting. If there are any additional items for the November/December agenda, the Ethics Commission office should be notified.

XI. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

Ms. Salieri stated that a letter should be drafted regarding the current leave of absence request to the Board of Supervisors, and it should be considered for a Charter revision. Mr. Chaffee expressed his comments regarding the upcoming retreat. He is concerned that public opinion will not be integrated and decisions made will be for the Commission's own benefit.

XII. APPROVAL AND ADOPTION OF MINUTES

A. Meeting of July 11, 1994
B. Revised Minutes for Meeting of August 8, 1994
C. Meeting of August 18, 1994
D. Meeting of September 12, 1994

July 11, 1994: 1) Page 2, Item II--HIRING OF EXECUTIVE DIRECTOR: Commissioner Gee wanted an addition made to reflect that she requested three written search summaries; 2) Commissioner Hendricks wanted "REVISED," revision date, and page numbers to be indicated on the minutes; 3) The vote was not detailed on pages 1 and 2; 4) The June 23 minutes were approved. The minutes will be revised to reflect the above comments and will be made available one week prior to the November 14 meeting.

ACTION: August 8, 1994: Commissioner Kalb, seconded by Commissioner Gee, moved that the minutes of August 8, 1994, be adopted with the following amended changes: 1) Page 3, Item V--PROPOSED PLAN FOR RULES AND REGULATIONS FOR EDUCATION AND OUTREACH PROGRAMS UNDER CHARTER SECTION 3.699 (13-14): The reference to the Federal Communication Commission should be replaced to the "Fair Political Practices Commission" 2) Page 4, Item VI--TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION: An inclusion to reflect the presentations by Naomi Nishioka and Tom Boggot; 3) Page 4, Item VII--ADOPTING BYLAWS FOR THE ETHICS COMMISSION: An update was presented by Commissioner Gee on the status of the bylaws.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Hendricks, Kalb -- 5

ACTION: August 18, 1994: Commissioner Gee, seconded by Commissioner Hendricks, moved that the minutes of August 18, 1994, be adopted.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Hendricks, Kalb -- 5

ACTION: September 12, 1994: Commissioner Gee, seconded by Commissioner Kalb, moved that the minutes of September 12, 1994, be adopted with the following amended changes: 1) Page 2, Item II--Orientation for Ethics

Commission: Commissioner Gee excused herself and left the room during the duration of the discussion to avoid any conflict of interest; 2) Page 4, Item VI--Adoption of Rules and Regulations for Investigations: piece mail should be replaced with "piecemeal"; 3) Page 7, Item XIII--Public Comment: Anita Mayo wanted her comments to be included to reflect that such an ordinance imposing contributions to controlled ballot measure committees might run into constitutional problems.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Hendricks, Kalb -- 5

Commissioner Pating stated that the letter to the Board of Supervisors regarding a request to investigate the Juvenile Probation Commission was not drafted because she wanted to discuss the matter further with Sue Hestor, Chair of the Sunshine Task Force.

MEETING ADJOURNED: 5:00 P.M.

XIII. CLOSED SESSION PURSUANT TO RALPH BROWN ACT SECTION 54597 AND SUNSHINE ORDINANCE SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR

XIV. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE SECTION 69.14(a)

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of candidates for Executive Director.

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR SATURDAY, NOVEMBER 5, 1994
9:00 A.M. TO 5:00 P.M.
UNIVERSITY CENTER, ROOM 417
UNIVERSITY OF SAN FRANCISCO, GOLDEN GATE AVENUE AT KITTREDGE TERRACE

I. Discussion Session: To be facilitated by the Center for the Common Good. Mission and Goals of the Ethics Commission

II. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

III. Adjournment

This meeting is an all-day study/discussion session and no action or policy decisions will be made at this meeting. The Ethics Commission invites attendance by members of the community, and comments and suggestions during the public comment portion of the session.

This meeting location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or other related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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APPROVED: 1-9-95

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FOR DETAILS OF AMENDMENTS

MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

SUNDAY, NOVEMBER 6, 1994 — 1660 MISSION ST., SUITE 2031

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER DANIEL KALB

ABSENT: COMMISSIONER JO ANN HENDRICKS

IN ATTENDANCE: ANGELA CHOW, THE ALEXANDER GROUP
STEVE FOGLE, THE ALEXANDER GROUP

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 1:50 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

No comments were brought forth from the public.

The special meeting was temporarily adjourned at 1:55 P.M. for the closed session discussion as described in "II" and will reconvene with "III."

II. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597, AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR.

The special meeting reconvened at 5:25 p.m. with Item III.

III. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a).

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

ACTION: Commissioner Gee, seconded by Commissioner Kalb, moved that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Kalb -- 4

MEETING ADJOURNED: 5:30 P.M.

ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR NOVEMBER 7, 1994 5:00 P.M.
1660 MISSION STREET, SECOND FLOOR CONFERENCE ROOM
SAN FRANCISCO

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I. Call to Order

II. Public Comment Re: Matters Appearing or Not Appearing On the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Re: Disclosure of Closed Session on Discussions and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a).

A. Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

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APPROVED: 1-9-95

REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, NOVEMBER 7, 1994 — 1660 MISSION ST., SUITE 2031

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

IN ATTENDANCE: ANGELA CHOW, THE ALEXANDER GROUP
STEVEN FOGLE, THE ALEXANDER GROUP

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 5:10 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

No comments were brought forth from the public.

The special meeting was temporarily adjourned at 5:15 p.m. for the closed session discussion as described in "II" and will reconvene with "III."

II. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597, AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR.

The special meeting reconvened at 8:10 p.m. with Item III.

III. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a).

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

ACTION: Commissioner Aviles, seconded by Commissioner Kalb, moved that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Hendricks, Kalb -- 5

MEETING ADJOURNED: 8:15 P.M.

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ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR NOVEMBER 8, 1994 6:00 P.M.
1660 MISSION STREET, SECOND FLOOR CONFERENCE ROOM
SAN FRANCISCO

I. Call to Order

II. Public Comment Re: Matters Appearing or Not Appearing On the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Re: Disclosure of Closed Session on Discussions and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a).

A. Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

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APPROVED: 1-9-95

REFER TO MINUTES OF N/A
FOR DETAILS OF AMENDMENTS

MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, NOVEMBER 8, 1994 — 1660 MISSION ST., SUITE 2031

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

IN ATTENDANCE: ANGELA CHOW, THE ALEXANDER GROUP
STEVEN FOGLE, THE ALEXANDER GROUP

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 6:05 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

No comments were brought forth from the public.

The special meeting was temporarily adjourned at 6:10 p.m. for the closed session discussion as described in "II" and will reconvene with "III."

II. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597, AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR.

The special meeting reconvened at 9:20 p.m. with Item III.

III. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a).

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

ACTION: Commissioner Gee, seconded by Commissioner Aviles, moved that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Hendricks, Kalb -- 5

MEETING ADJOURNED: 9:25 P.M.

ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR NOVEMBER 14, 1994, 2:00 P.M.
1660 MISSION STREET, SUITE 2001, SAN FRANCISCO

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I. Call to Order

II. Approval and Adoption of Minutes
   A. Meeting of July 11, 1994 (Revised)
   B. Meeting of September 7, 1994
   C. Meeting of October 6, 1994
   D. Meeting of October 11, 1994

III. Discussion and Possible Action Re: Orientation for Ethics Commission
   A. Report
   B. Motion on Future Orientations for Ethics Commission

IV. Discussion and Possible Action Re: Hiring of Executive Director Status Report

V. Interim Director's Report

VI. Discussion and Possible Action Re: Regulations of The San Francisco Ethics Commission for Investigations and Enforcement Proceedings: First Draft
   A. Review and Discussion By Commission
   B. Public Comment
   C. Revision, Further Discussion and/or Adoption of Regulations

VII. Discussion and Possible Action Re: San Francisco Ethics Commission Bylaws: Draft One and Draft Two
   A. Presentation of Draft One and Draft Two of Proposed Bylaws
   B. Review and Discussion By Commission
   C. Public Comment

D. Revision, Further Discussion and/or Adoption of Bylaws

VIII. Discussion and Possible Action Re: Transition With City Departments Currently Performing Functions of The Ethics Commission
A. Status Report
B. Motion(s) Regarding Transition With City Departments

IX. Discussion and Possible Action Re: Development of Mission Statement

X. Discussion and Possible Action Re: Public/Official Employee Code of Conduct

XI. Discussion and Possible Action Re: Budget

XII. Presentation of Certificates of Appreciation

XIII. Setting Agenda for Next Meeting

XIV. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

XV. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

XVI. Discussion and Possible Action Re: Disclosure of Closed Session Discussions and Actions pursuant to Sunshine Ordinance, Section 69.14 (a) and Ralph Brown Action, Section 54597

XVII. Adjournment

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at

public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

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APPROVED: 1-9-95

REFER TO MINUTES OF 1-9-95
FOR DETAILS OF AMENDMENTS

MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, NOVEMBER 14, 1994 -- 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT:	COMMISSIONER PETER AVILES COMMISSIONER JO ANN HENDRICKS COMMISSIONER DANIEL KALB (late arrival) COMMISSIONER CAMILLE HAMILTON PATING
ABSENT:	COMMISSIONER VIRGINIA C. GEE
IN ATTENDANCE:	HARRY JOEL, RANDY RIDDLE
ACTING CLERK:	JENNY FUNG
MEETING CONVENED:	2:10 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. APPROVAL AND ADOPTION OF MINUTES

ACTION: Commissioner Hendricks, seconded by Commissioner Aviles, moved that the **Revised Minutes of July 11, 1994**, be approved as amended.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks -- 3

ACTION: Commissioner Hendricks, seconded by Commissioner Aviles, moved that the **Minutes of September 7, 1994**, be approved.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks -- 3

ACTION: Commissioner Aviles, seconded by Commissioner Hendricks, moved that the **Minutes of October 6, 1994**, be approved.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks -- 3

ACTION: Commissioner Hendricks, seconded by Commissioner Aviles, moved that the **Minutes of October 11, 1994**, be approved with the following changes: 1) Page

3, Item III, INTERIM DIRECTOR'S REPORT, Paragraph 1: An addition to read "Commissioner Pating reminded the Commission that no money was allocated in the budget for office rental based on assurances that the Commission would be housed at the War Memorial Building after January 1, 1995"; 2) Page 3, Item IV, DISCUSSION AND POSSIBLE ACTION REGARDING REGULATIONS OF THE SAN FRANCISCO ETHICS COMMISSION FOR INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS: FIRST DRAFT, Paragraph 2: Identify Bob Stern as the "Executive Director of the Center for Governmental Studies in Los Angeles"; 3) Page 5, Item VIII, DISCUSSION AND POSSIBLE ACTION REGARDING EDUCATIONAL TRIPS AND CONFERENCES: An addition to the beginning of Paragraph 1 to read "In a conversation with the Executive Director, Bob Stern, at a previous meeting . . ."

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks -- 3

II. DISCUSSION AND POSSIBLE ACTION REGARDING ORIENTATION FOR ETHICS COMMISSION

A. Report

B. Motion on Future Orientations for Ethics Commission

ACTION: Commissioner Hendricks, seconded by Commissioner Aviles, moved to thank the Haas Foundation for its generous donation and to commend the Center for the Common Good for its excellent facilitation of the November 5, 1994, orientation.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks -- 3

ACTION: Commissioner Hendricks, seconded by Commissioner Aviles, moved that the Interim Chair be authorized to meet with the Center for the Common Good to discuss future orientations for the Ethics Commission.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks -- 3

ACTION: Commissioner Pating presented Certificates of Honor from the Board of Supervisors, as well as Certificates of Recognition from the Mayor, to Martin Paley, Gordon Firestein, and Bruce Sievers.

Speakers: Martin Paley and Gordon Firestein and Bruce Sievers, Center for the Common Good.

III. DISCUSSION AND POSSIBLE ACTION REGARDING HIRING OF EXECUTIVE DIRECTOR STATUS REPORT

ACTION: Commissioner Pating presented Certificates of Honor from the Board of Supervisors, as well as Certificates of Recognition from the Mayor, to Angela Chow of The Alexander Group; and since Steve Fogle was not able to attend today's meeting, he will be receiving his certificates via Angela Chow.

ACTION: Commissioner Hendricks, seconded by Commissioner Kalb, moved that The Alexander Group be thanked and commended Steve Fogle and Angela Chow for their fine search efforts.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks, Kalb -- 4

Speaker: Angela Chow, The Alexander Group.

IV. INTERIM DIRECTOR'S REPORT

ACTION: Mr. Joel presented his Interim Director's Report for November and announced that, even though his official last day as Interim Executive Director will be Wednesday, November 16, 1994, he will be available on an "as needed" basis thereafter.

V. DISCUSSION AND POSSIBLE ACTION REGARDING REGULATIONS OF THE SAN FRANCISCO ETHICS COMMISSION FOR INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS: FIRST DRAFT

A. Review and Discussion by Commission
B. Public Comment
C. Revision, Further Discussion, and/or Adoption of Regulations

ACTION: Commissioner Aviles requested that all comments to the draft of the proposed guidelines be forwarded to the commission by mid-December for incorporation into the next draft and that he will request from COGEL their input to the first draft.

ACTION: Commissioner Pating made a presentation of proposed goals for enforcement for possible adoption to the bylaws or mission statement. The proposed goals included: 1) Fair, just, speedy determinations; 2) Effective case management to give staff maximum discretion and to enforce time limits, continuance limits, and use other agencies to supplement Ethics Commission's investigations; 3) Eliminate or minimize political and improper influence of proceedings; 4) Preserve confidentiality to extent as appropriate.

ACTION: Anita Mayo presented written comments from Pillsbury Madison & Sutro (dated November 14, 1994) to the first draft of the proposed guidelines.

Speakers: Shelley Salieri; Timothy Gillespie; Anita Mayo, Pillsbury Madison & Sutro.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING SAN FRANCISCO ETHICS COMMISSION BYLAWS: DRAFT ONE AND DRAFT TWO

A. Review and Discussion by Commission
B. Public Comment
C. Revision, Further Discussion, and/or Adoption of Bylaws

ACTION: Mr. Joel announced that the draft of the bylaws is now, with assistance from Mr. Riddle's Office, in the format that Commissioner Gee had requested and that the only minor changes in wordsmithing and punctuation were made in this draft. The next draft will reflect the significant changes, comments, and references to comments.

Speakers: Harry Joel, Interim Executive Director, Ethics Commission; Randy Riddle, Deputy City Attorney.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION

A. Status Report
B. Motion(s) Regarding Transition With City Departments

ACTION: Mr. Joel announced that the Ethics Commission has begun to assess fines against those political committees who filed late campaign finance disclosure statements for the first and second pre-election filings.

ACTION: Commissioner Pating announced that she gave Megan Levitan, who is currently performing the whistleblower functions, a copy of the rules and regulations for her input.

Speakers: Harry Joel, Interim Executive Director, Ethics Commission.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING DEVELOPMENT OF MISSION STATEMENT

ACTION: Commissioner Hendricks presented the first draft of a code of ethics to be included in the mission statement of the San Francisco Ethics Commission.

Speakers: Shelley Salieri; Timothy Gillespie.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING BUDGET

ACTION: Commissioner Pating designated, without objection, the responsibility of managing the budget and other financial matters to Commissioner Kalb.

ACTION: Commissioner Hendricks announced that, if the Ethics Commission has need of volunteers, she has access to names of students from City College of San Francisco who are willing to do volunteer work to earn school credit and that, if

such a program is approved, the students would be able to start in January at the beginning of the new semester.

X. SETTING AGENDA FOR NEXT MEETING

ACTION: Commissioner Pating announced that the next Ethics Commission meeting is scheduled for Monday, January 9, 1995, at 1660 Mission Street, Suite 2001, at 2:00 p.m. There will be status reports on all ongoing items.

XI. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following persons:

Shelley Salieri; Bruce Pettit.

The meeting was temporarily adjourned at 5:10 p.m. for the closed session portion of the meeting.

XII. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597 AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR

The Ethics Committee reconvened at 6:25 p.m. after the closed session.

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14 (a) AND RALPH BROWN ACTION, SECTION 54597

ACTION: Commissioner Aviles, seconded by Commissioner Kalb, moved that the Ethics Commission determines that it is in the public interest not to disclose what occurred during the closed session pursuant to Sunshine Ordinance.

No comments were brought forth from the public.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks, Kalb -- 4

MEETING ADJOURNED: 6:30 P.M.

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ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR NOVEMBER 19, 1994, 3:00 P.M.
1660 MISSION STREET, SECOND FLOOR CONFERENCE ROOM
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10(b): Public Employee Appointment of Executive Director

IV. Vote on Whether to Disclose Items that Occurred During Meeting

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ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR NOVEMBER 20, 1994, 9:00 A.M.
1660 MISSION STREET, SECOND FLOOR CONFERENCE ROOM
SAN FRANCISCO

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I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10(b): Public Employee Appointment of Executive Director

IV. Vote on Whether to Disclose Items that Occurred During Meeting

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

APPROVED: [illegible]

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FOR DETAILS OF AMENDMENTS

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MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

SUNDAY, NOVEMBER 20, 1994 — 1660 MISSION ST., SUITE 2031

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER PETER AVILES
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB

IN ATTENDANCE: STEVE FOGLE, THE ALEXANDER GROUP

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 1:15 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

No comments were brought forth from the public.

The special meeting was temporarily adjourned at 1:20 p.m. for the closed session discussion as described in "II" and will reconvene with "III."

II. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597, AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR.

The special meeting reconvened at 3:10 p.m. with Item III.

III. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a).

Commissioner Pating announced that an offer of employment to Lee Ann Pelham for Executive Director of the Ethics Commission was made based on unanimous approval by the Ethics Commission.

ACTION: Commissioner Aviles, seconded by Commissioner Gee, moved that the following be disclosed: An offer of employment to Lee Ann Pelham for Executive Director of the Ethics Commission was made based on unanimous approval by the Ethics Commission.

Motion carried by the following vote:

Ayes: Pating, Aviles, Gee, Hendricks, Kalb -- 5

MEETING ADJOURNED: 3:15 P.M.

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SAN FRANCISCO ETHICS COMMISSION

AND NOTICE OF MEETING FOR MONDAY, JANUARY 9, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

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I. Call To Order

II. Approval and Adoption of Minutes
- A. Special Meeting of October 9, 1994
- B. Special Meeting of November 6, 1994
- C. Special Meeting of November 7, 1994
- D Special Meeting of November 8, 1994
- E. Meeting of November 14, 1994
- F. Special Meeting of November 20, 1994

III. Discussion and Possible Action Re: Orientation for Ethics Commission
- A. Report: Presentation by Martin Paley, Director, Center for the Common Good
- B. Motion on Future Orientations for Ethics Commission

IV. Discussion and Possible Action Re: Hiring of Executive Director: Status Report

V. Interim Director's Report

VI. Discussion and Possible Action Re: Regulations of the San Francisco Ethics Commission for Investigations and Enforcement Proceedings: Draft 2
- A. Presentation of Draft 2 of Proposed Regulations
- B. Review and Discussion By Commission
- C. Public Comment
- D. Revision, Further Discussion, and/or Adoption of Regulations

VII. Discussion and Possible Action Re: San Francisco Ethics Commission Bylaws: Draft 3
- A. Presentation of Draft 3 of Proposed Bylaws
- B. Review and Discussion By Commission
- C. Public Comment
- D. Revision, Further Discussion, and/or Adoption of Bylaws

VIII. Discussion and Possible Action Re: Transition With City Departments Currently Performing Functions of the Ethics Commission
- A. Status Report
- B. Motion(s) Regarding Transition with City Agencies

IX. Discussion and Possible Action Re: Development of Public Official/Employee Code of Conduct

X. Discussion and Possible Action Re: Approval of Budget for Fiscal Year 1995 - 96

XI. Discussion and Possible Action Re: Interns and Volunteers

XII. Discussion and Possible Action Re: Mission Statement for Ethics Commission

XIII. Discussion and Possible Action Re: Reimbursement for Parking Charges Incurred by Commissioners

XIV. Discussion and Possible Action Re: Establishment of Special Revenue Account for Ethics Commission Revenues

XV. Setting Agenda For Next Meeting

XVI. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XVII. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

XVIII. Discussion and Possible Action Re: Disclosure of Closed Session Discussions and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code, Section 54957

XIX. Adjournment

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

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MONDAY, JANUARY 9, 1995 - 2:00 P.M. 1660 MISSION ST., SUITE 6034

PRESENT: COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DANIEL KALB
COMMISSIONER CAMILLE HAMILTON PATING (late arrival)

IN ATTENDANCE: HARRY JOEL, RANDY RIDDLE

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 2:15 P.M.

COMMISSIONER DAN KALB, INTERIM VICE CHAIR, PRESIDED IN THE ABSENCE OF COMMISSIONER PATING, INTERIM CHAIR.

Commissioner Kalb announced that Peter Aviles resigned his position as Commissioner of the San Francisco Ethics Commission effective December 13, 1994.

I. APPROVAL AND ADOPTION OF MINUTES

ACTION: Commissioner Gee, seconded by Commissioner Hendricks, moved that the **Minutes of October 9, 1994, Minutes of November 6, 1994, Minutes of November 7, 1994, Minutes of November 8, 1994, and Minutes of November 20, 1994,** be approved and that the **Minutes of November 14, 1994**, be approved with the following modification:

Page 3, second ACTION item: "Commissioner Hendricks, seconded by Commissioner Kalb, moved that The Alexander Group be thanked and commended Steve Fogle and Angela Chow for their fine search efforts regarding a nationwide search for an Executive Director."

Motion carried by the following vote:

Ayes: Gee, Hendricks, Kalb -- 3

II. DISCUSSION AND POSSIBLE ACTION REGARDING ORIENTATION FOR ETHICS COMMISSION

A. Report: Presentation by Martin Paley, Director, Center for the Common Good

B. Motion on Future Orientations for Ethics Commission

ACTION: Mr. Paley presented his comments and suggestions from the November 5, 1994, meeting in a letter to Commissioner Pating and would like to see the Center be helpful to the Commission in the future. Mr. Paley met with the Mayor to provide substantially more money for the growth and development of the Ethics Commission.

ACTION: Commissioner Hendricks thanked the Center for the Common Good and said that she would like to continue the orientation sessions.

ACTION: Commissioner Kalb, seconded by Commissioner Hendricks, moved that the Commission accept the generous offer and assistance from the Center for the Common Good to set up any necessary subsequent meetings.

Motion carried by the following vote:

Ayes: Pating, Hendricks, Kalb -- 3

Abstention: Gee -- 1 (due to Commissioner Gee's serving on the Center for the Common Good Board of Directors)

ACTION: Commissioner Pating announced that the first tentative date for an all-day retreat with the Center for the Common Good and the five appointing authorities will be March 4, 1995, and Mr. Paley will return to the next Ethics Commission meeting scheduled for February 13, 1995, to present an update.

ACTION: Commission Pating announced, without objection, that she will continue to meet with Mr. Paley to discuss the details.

ACTION: Commissioner Pating announced that May 6, July 8, and September 9, will be the tentative dates for future bi-monthly meetings with the Center for the Common Good The time and location will be announced at a later time.

Speaker: Martin Paley, Director, Center for the Common Good.

III. DISCUSSION AND POSSIBLE ACTION REGARDING HIRING OF EXECUTIVE DIRECTOR: STATUS REPORT

ACTION: Steve Fogle reported that 51 resumes had been received as of the January 6, 1995, deadline for the Executive Director's position and that any other resumes received after the deadline may be considered for inclusion.

ACTION: Commissioner Pating temporarily relinquished her role as Chair to announce that a special meeting will need to be scheduled to discuss the search process to decide whether to accommodate Commissioner Kalb, who resigned his position as commissioner effective January 9, 1995, to apply for the Executive Director's position. Former Commissioner Kalb was informed by Commissioner Pating that, if he should resign as Commissioner, there would be no preferential treatment given to him and that he would be treated as any other candidate applying for the

position and that there would be no guarantee that he would be chosen for the position.

Speakers: Steve Fogle and Angela Chow, The Alexander Group; James Chaffee, Randy Riddle, Deputy City Attorney, City Attorney's Office.

ACTION: Commissioner Gee, seconded by Commissioner Hendricks, moved that a special meeting be scheduled to address the issue of whether the search process is to begin again to accommodate Commissioner Kalb's application.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

ACTION: Commissioner Pating announced that a special meeting has been set up for Tuesday, January 24, 1995, at 1 p.m. to discuss the Executive Director search process and the 1995-96 budget process.

IV. INTERIM DIRECTOR'S REPORT

ACTION: Mr. Joel presented his Interim Director's Report for January and announced that, due to prior commitments, he and his assistant, Jenny Fung, will be available to the Commission on a limited weekly basis.

ACTION: Commissioner Hendricks thanked the interim staff, Mr. Joel and Ms. Fung, for staying on with the Commission past their estimated completion date for this assignment.

ACTION: Mr. Joel announced that the San Francisco Ethics Commission will be relocating to the third floor of the Veterans War Memorial Building on February 17, 1995.

Speaker: Timothy Gillespie.

ACTION: Mr. Joel announced that the assumption of responsibilities has been verbal, and not as a written agreement.

V. DISCUSSION AND POSSIBLE ACTION REGARDING REGULATIONS OF THE SAN FRANCISCO ETHICS COMMISSION FOR INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS: DRAFT 2

A. Presentation of Draft 2 of Proposed Regulations
B. Review and Discussion by Commission
C. Public Comment
D. Revision, Further Discussion, and/or Adoption of Regulations

ACTION: Randy Riddle presented Draft 2 of the Proposed Regulations of the San Francisco Ethics Commission for Investigations and Enforcement Proceedings and explained the use of underscoring to indicate proposed additions and the use of strikeouts to indicate proposed deletions.

ACTION: Commissioner Hendricks thanked Mr. Riddle for his assistance in developing draft 2.

ACTION: Commissioner Gee requested a special meeting to discuss the suggested additions/deletions to the draft.

Speakers: Randy Riddle, Deputy City Attorney; Timothy Gillespie; Anita Mayo, Pillsbury, Madison & Sutro.

ACTION: Commissioner Kalb suggested that the ex parte communications section from the Seattle Ethics & Elections Commission Administrative Rules, Adopted July 1, 1992, Page 13, be incorporated into the San Francisco Ethics Commission for Investigations and Enforcement Proceedings Draft.

ACTION: Commissioner Hendricks requested a flow chart be created to describe the process, and Commissioner Gee requested that legal rulings be researched.

ACTION: Commissioner Kalb suggested that the word "shall" be changed to "may" to denote a more lenient stance.

ACTION: Commissioner Gee requested that a glossary or appendix be created.

ACTION: It is hoped that approval of the enforcement proceedings will happen in approximately 30 - 45 days, and a Draft 3, which will incorporate a glossary/appendix and a flow chart, will be forthcoming. The discussion on this agenda item will continue at the next meeting.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING SAN FRANCISCO ETHICS COMMISSION BYLAWS: DRAFT 3

A. Presentation of Draft 3 of Proposed Bylaws
B. Review and Discussion by Commission
C. Public Comment
D. Revision, Further Discussion, and/or Adoption of Bylaws

ACTION: Commissioner Gee presented Draft 3 of the Proposed Bylaws which include input from Sue Hestor, Chairman of the Sunshine Task Force, Commissioner Hendricks, Commissioner Kalb, former Commissioner Aviles. All approved suggestions to the draft will be incorporated into the draft and will be presented at the next Ethics Commission meeting.

Speakers: Timothy Gillespie; Anita Mayo, Pillsbury, Madison & Sutro; Randy Riddle, Deputy City Attorney; Robert Pender; James Chaffee.

ACTION: Commissioner Gee thanked Mr. Joel and Mr. Riddle for their assistance in making the bylaws ready for approval for adoption at the next Ethics Commission meeting.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION

A. Status Report
B. Motion(s) Regarding Transition With City Agencies

ACTION: Mr. Joel announced that there are no status reports as no meetings occurred during the holiday season. Meetings will resume later this month.

Speaker: Harry Joel, Interim Executive Director, Ethics Commission.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING DEVELOPMENT OF PUBLIC OFFICIAL/EMPLOYEE CODE OF CONDUCT

ACTION: Commissioner Hendricks presented a revision to the first draft of a code of ethics, and this agenda item will be discussed at the next Ethics Commission meeting.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF BUDGET FOR FISCAL YEAR 1995-96

ACTION: Commissioner Kalb presented his recommendations for the 1995-96 budget. The narrative document on the Commission (Draft 2) will be submitted as an appendix when the budget is approved.

ACTION: The word "politicians" will be changed to "public officials".

ACTION: A request was made for another organization chart to depict how the Ethics Commission fits in with other City agencies.

ACTION: Commissioner Kalb moved that the investigator position be increased from 0.5 FTE to 1.0 FTE which would change the budget to $400,000 for the year.

X. DISCUSSION AND POSSIBLE ACTION REGARDING INTERNS AND VOLUNTEERS

ACTION: Mr. Joel introduced Andrew Weir, who will be working as a student intern for the Commission at a minimum of six hours per week for college credit.

ACTION: Commissioner Pating appointed Commissioner Hendricks to the liaison to the Interns Program and to work with the League of Women Voters on this project.

XI. DISCUSSION AND POSSIBLE ACTION REGARDING MISSION STATEMENT FOR ETHICS COMMISSION

XII. DISCUSSION AND POSSIBLE ACTION REGARDING MISSION STATEMENT FOR ETHICS COMMISSION

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING REIMBURSEMENT FOR PARKING CHARGES INCURRED BY COMMISSIONERS

ACTION: Commissioner Kalb, seconded by Commissioner Gee, moved that reimbursement of parking charges of up to $5 be approved with the proviso that it will be subject to the approval of the City Attorney's Officer.

Motion carried by the following vote:

Ayes: Pating, Aviles, Hendricks, Kalb -- 4

XIV. DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF SPECIAL REVENUE ACCOUNT FOR ETHICS COMMISSION REVENUES

ACTION: Commissioner Kalb announced that all monies received from fines assessed on late campaign finance disclosure statements are deposited to the general fund.

Speaker: Randy Riddle, Deputy City Attorney, City Attorney's Office.

ACTION: Commissioner Pating requested that Commissioner Kalb work with Mr. Riddle to research whether it is a state law requirement that all monies collected are to be deposited to the general fund and to investigating other ways of collecting fees to be deposited to an account for the Ethics Commission.

XV. SETTING AGENDA FOR NEXT MEETING

ACTION: Commissioner Pating announced that the next Ethics Commission meeting is scheduled for Monday, February 13, 1995, at 1600 Mission Street, Suite 2001, at 2:00 p.m. There will be status reports on all ongoing items.

ACTION: Commissioner Hendricks requested that, for future monthly Ethics Commission meetings, a regular agenda item be included after the approval of the minutes regarding a status report from the Chair be made as to any activities that transpired after the last meeting.

XVI. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following persons:

Anita Mayo, Pillsbury, Madison & Sutro; Timothy Gillespie; James Chaffee.

XVII. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597 AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR

ACTION: There will be no closed session meeting as originally stated in the agenda due to the special meeting scheduled for January 24, 1995, on the discussion of the Executive Director search process.

MEETING ADJOURNED: 7:20 P.M.

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ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR JANUARY 24, 1995, 1:OO P.M.
1660 MISSION STREET, SIXTH FLOOR, ROOM 6034
SAN FRANCISCO

1/24/95

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I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Discussion and Possible Action Regarding 1995-96 Budget for San Francisco Ethics Commission

IV. Discussion and Possible Action Regarding Strategy for Hiring an Executive Director
   A. Restarting the Search Process
   B. Development of Criteria for Search Process

V. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10(b): Public Employee Appointment of Executive Director

VI. Discussion and Possible Action Regarding Disclosure of Closed Session on Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14(a) and Government Code Section 54957.1
   A. Motion on whether the Ethics Commission finds that it is in the best interests of the public to disclose its closed session deliberations in pending interviews and selection of its Executive Director

VII. Adjournment

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MINUTES

SPECIAL MEETING OF THE ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JANUARY 24, 1995 – 1:00 P.M. 1660 MISSION ST., SUITE 6034

PRESENT: COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER CAMILLE HAMILTON PATING

IN ATTENDANCE: HARRY JOEL, RANDY RIDDLE

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 1:15 P.M.

COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: Commissioner Pating announced that three written communications had been received and were available at the meeting: a memorandum from James Chaffee dated January 23, 1995; a letter from former commissioner Dan Kalb dated January 19, 1994 (1995); and a letter addressed to Camille Hamilton Pating from Timothy Gillespie dated January 23, 1995. As requested, the memorandum from James Chaffee was read at the meeting.

Commissioner Pating clarified a question raised in Mr. Gillespie's letter regarding Item V on today's agenda, Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10(b): Public Employee Appointment of Executive Director. She stated that this agenda item will occur only if the Commission elects to continue the search currently in progress so that the resumes and qualifications of the 51 candidates may be discussed at the closed session, which will be contingent on agenda Item IV on whether to restart the executive director search process.

II. DISCUSSION AND POSSIBLE ACTION REGARDING 1995-96 BUDGET FOR SAN FRANCISCO ETHICS COMMISSION

ACTION: Mr. Joel presented the 1995-96 budget and discussion ensued.

RESOLUTION 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Whistleblower position be included in the 1995-96 budget at Step 1 as a full-time position with the proviso that it may be re-evaluated during the year dependent upon the scope of the duties.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Gee, seconded by Commissioner Hendricks, moved that the Ethics Auditor position be included in the 1995-96 budget at Step 1 as a full-time position with the proviso that the position may be re-evaluated with the flexibility to contract out.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Ethics Investigator position be included in the 1995-96 budget at Step 1 as a full-time position with the proviso that it may be phased in during the Fall prior to the November election.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Gee, seconded by Commissioner Hendricks, moved that the Education and Outreach Specialist position be included in the 1995-96 budget at Step 1 as a full-time position (full- or part-time status will be contingent upon whether the Whistleblower is able to assume more responsibilities) with the proviso that it may be phased in by January 1996.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Filings Clerk position be included in the 1995-96 budget at Step 1 as a full-time position with the proviso that there may be a need to hire a 2 FTE temporary filings clerk as needed and with the proviso that the Commission has the flexibility to determine what is needed.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Gee, seconded by Commissioner Hendricks, moved that the Senior Clerk Typist position and the Executive Director position be included in the 1995-96 budget at a step higher than Step 1 as full-time positions.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

Speakers: Theresa Lee, Budget Analyst, Mayor's Budget Office; John Taylor, Clerk to the Board of Supervisors; Dan Kalb.

III. DISCUSSION AND POSSIBLE ACTION REGARDING STRATEGY FOR HIRING AN EXECUTIVE DIRECTOR

A. Restarting the Search Process

B. Development of Criteria for Search Process

RESOLUTION 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that all needs, strategies, procedure, and job announcements regarding the hiring of an executive director will be considered and approved by the Ethics Commission prior to implementation.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that no applications or resumes for the position of Executive Director received after the deadline date of January 6, 1995, will be considered by the Ethics Commission.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Ethics Commission ratify Search No. 2, conducted by The Alexander Group with the deadline date of January 6, 1995, with all the same procedures as Search No. 1, conducted by The Alexander Group which concluded in November 1994, except that six resumes from Search No. 1 will be included in the Search No. 2 with the same criteria.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

ACTION: Commissioner Pating designated, without objection, Commissioner Gee to be the point person to work on Search No. 2.

Speakers: Dan Kalb; Randy Riddle, Deputy City Attorney, City Attorney's Office.

The special meeting was temporarily adjourned at 5:20 p.m. for the closed session discussion as described in "IV."

IV. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597 AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR

The special meeting reconvened at 6:15 p.m. with Item V.

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V. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69.14(a) AND GOVERNMENT CODE, SECTION 54957

RESOLUTION: 95-1-24-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

MEETING ADJOURNED: 6:20 P.M.

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SAN FRANCISCO ETHICS COMMISSION

AND NOTICE OF MEETING FOR MONDAY, FEBRUARY 13, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

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I. Call To Order

II. Approval and Adoption of Minutes
Meeting of January 9, 1995

III. Interim Chair's Report

IV. Discussion and Possible Action Re: Orientation for Ethics Commission
- A. Report: Presentation by Martin Paley, Director, Center for the Common Good
- B. Motion on Future Orientations for Ethics Commission

V. Discussion and Possible Action Re: Hiring of Executive Director: Status Report

VI. Interim Executive Director's Report

VII. Discussion and Possible Action Re: Regulations of the San Francisco Ethics Commission for Investigations and Enforcement Proceedings: Draft 3
- A. Presentation of Draft 3 of Proposed Regulations
- B. Review and Discussion By Commission
- C. Public Comment
- D. Revision, Further Discussion, and/or Adoption of Regulations

VIII. Discussion and Possible Action Re: San Francisco Ethics Commission Bylaws: Draft 4
- A. Presentation of Draft 4 of Proposed Bylaws
- B. Review and Discussion By Commission
- C. Public Comment
- D. Revision, Further Discussion, and/or Adoption of Bylaws

IX. Discussion and Possible Action Re: Job Announcement
- A. Motion: All job announcements for employees of the Ethics Commission shall include statements at the end of the announcement that 1) clearly state the deadline date for receipt of applications and resumes, and 2) the Commission reserves the right to withdraw the job and the job announcement at any time
- B. Motion: All needs, strategies, procedures, and job announcements regarding Ethics Commission personnel hiring will be considered and approved by the Ethics Commission prior to implementation

X. Discussion and Possible Action Re: Reimbursement to Commissioners for Expenses Incurred in Connection with the Conduct of Official Business

Motion: Resolved that a survey of practices of City Commissions and Committees be undertaken to ascertain practices regarding reimbursing Commission and Committee members for expenses incurred in connection with the conduct of official business; and, further resolved that, until the Ethics Commission has received, studied, and taken action on the survey, Commissioner Kalb's motion at the January 9, 1995, commission meeting on parking reimbursement be rescinded

XI. Discussion and Possible Action Re: Supervisor Terence Hallinan's Proposed Legislation on Campaign Contribution/Expenditure Limits

XII. Discussion and Possible Action Re: Transition With City Departments Currently Performing Functions of the Ethics Commission
   A. Status Report
   B. Motion(s) Regarding Transition with City Agencies

XIII. Discussion and Possible Action Re: Development of Code of Conduct and Mission Statement for Ethics Commission

XIV. Discussion and Possible Action Re: Policies and Procedures for Interns and Volunteers

XV. Discussion and Possible Action Re: 1995 - 96 Budget

XVI. Discussion and Possible Action Re: Electronic Filings and Software Needs for Campaign Finance Disclosure Reporting

XVII. Setting Agenda For Next Meeting

XVIII. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XIX. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

XX. Discussion and Possible Action Re: Disclosure of Closed Session Discussions and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code, Section 54957

XXI. Adjournment

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MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, FEBRUARY 13, 1995 -- 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT: COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS

IN ATTENDANCE: HARRY JOEL, RANDY RIDDLE

ACTING CLERK: JENNY FUNG

MEETING CONVENED: 2:10 P.M.

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COMMISSIONER CAMILLE HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: No comments were brought forth by the public.

II. APPROVAL AND ADOPTION OF MINUTES

RESOLUTION 95-2-13-XX: Commissioner Gee, seconded by Commissioner Hendricks, moved that the **Minutes of January 9, 1995**, be approved with the following modifications:

1) Page 2, Item IV, prior to first ACTION item: Interim Chair Pating arrived and assumed the chair from Interim Vice Chair Kalb.

2) Page 5, Item XIII, prior to first ACTION item: Commissioner Kalb announced that he had submitted his letter of resignation, effective January 9, 1995, to City Controller Harrington. Commissioner Kalb stated that he had resigned from the Commission so that he could be considered for the position of Executive Director and requested the Commission reopen the search so that he could be included among the candidates for consideration.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

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Speaker: Timothy Gillespie.

III. INTERIM CHAIR'S REPORT

ACTION: Commissioner Pating reported that she held discussions relating to the transition of responsibilities from other departments and discussions with individuals who are advising the Ethics Commission; specifically, the details of the March 4 orientation retreat with Martin Paley, Center for the Common Good; the details of the Ethics Commission office with Mr. Joel; and the details of the rules and regulations for investigative proceedings with former Commissioner Aviles.

IV. DISCUSSION AND POSSIBLE ACTION REGARDING ORIENTATION FOR THE SAN FRANCISCO ETHICS COMMISSION

A. Report: Presentation by Martin Paley, Director, Center for the Common Good

B. Motion on Future Orientations for Ethics Commission

ACTION: Martin Paley announced that the follow-up to the orientation for the Ethics Commission will be held at the University of San Francisco in the Hall of Honor room on Saturday, March 4, 1995, from 9 a.m. to 5 p.m., and that arrangements have been made to have the appointing authorities attend. Mayor Jordan will attend at 10:30 a.m. The public will be notified at least 15 days before the meeting. The Commission requested that there be more focus on its priorities so that closure may be reached on pending projects.

In response to a request from the College of Holy Names that the San Francisco Ethics Commission make a presentation on ethics in government, Randy Riddle, without objection from the Commission, will represent the Commission on April 1, 1995.

Speakers: Martin Paley, Director, Center for the Common Good; Randy Riddle, Deputy City Attorney, City Attorney's Office; Timothy Gillespie.

V. DISCUSSION AND POSSIBLE ACTION REGARDING HIRING OF EXECUTIVE DIRECTOR: STATUS REPORT

ACTION: Commissioner Gee reported that, as chair of the Executive Director search, she has reviewed the 51 resumes received and has conducted telephone interviews with those candidates who were selected from the first screening.

VI. INTERIM EXECUTIVE DIRECTOR'S REPORT

ACTION: Mr. Joel presented his Interim Director's Report for February. Regarding the 30 candidates to be considered for the Whistleblower position, the Commission decided to place the search on hold so that the job description for the Whistleblower position

can be discussed further at the March 13, 1995, meeting. The Ethics Commission will be moving to the War Memorial Building on February 18. Mr. Joel's last day as Interim Executive Director will be February 28, 1995.

Speaker: Randy Riddle, Deputy City Attorney, City Attorney's Office.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING REGULATIONS OF THE SAN FRANCISCO ETHICS COMMISSION FOR INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS: DRAFT 3

A. Presentation of Draft 3 of Proposed Regulations
B. Review and Discussion by Commission
C. Public Comment
D. Revision, Further Discussion, and/or Adoption of Regulations

ACTION: Commissioner Pating announced that a special meeting has been scheduled for Monday, March 6, at 1 p.m at 1660 Mission Street to discuss Draft 3 of the Regulations of the San Francisco Ethics Commission for Investigations and Enforcement Proceedings and that former Commissioner Aviles will be invited to this meeting.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING THE SAN FRANCISCO ETHICS COMMISSION BYLAWS: DRAFT 4

A. Presentation of Draft 4 of Proposed Bylaws
B. Review and Discussion by Commission
C. Public Comment
D. Revision, Further Discussion, and/or Adoption of Bylaws

ACTION: Commissioner Gee presented Draft 4 of the Proposed Bylaws which reflects the agreed-upon additions, deletions, and revisions from the last meeting.

RESOLUTION 95-2-13-XX: Commissioner Gee, seconded by Commissioner Hendricks, moved that the bylaws be adopted with the proviso that the revised sections are subject to further review and that a mission statement, once finalized, will be included.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

Speakers: Randy Riddle, Deputy City Attorney, City Attorney's Office; Timothy Gillespie; James Chaffee.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING ELECTRONIC FILINGS AND SOFTWARE NEEDS FOR CAMPAIGN FINANCE DISCLOSURE REPORTING

ACTION: Naomi Nishioka, Campaign Services Manager, informed the Commission that, because the responsibility of campaign finance disclosure filings will ultimately be the responsibility of the Ethics Commission, it will be necessary for the Ethics Commission to be involved in the development of the necessary criteria for a standardized filing format for the public (as outlined in Ms. Nishioka's memorandum dated February 7, 1995, to Commissioner Pating) to meet the electronic filing requirement for those committees that will have $5,000 or more of activity. The goal is to issue a Request for Proposals to identify a software vendor that will be able to design a software program to meet the specified criteria and have it available to the public for the next filing deadline of July 31, 1995.

RESOLUTION 95-2-13-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Ethics Commission agrees, in principle, that it will participate in the input process with the Registrar of Voters regarding electronic filing of campaign finance disclosures and that this input process will ultimately lead to a Request for Proposals.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

ACTION: Commissioner Pating designated herself, without objection, to be the liaison in this project.

Speakers: Naomi Nishioka and Greg Ridenour, Register of Voters; Timothy Gillespie.

X. DISCUSSION AND POSSIBLE ACTION REGARDING JOB ANNOUNCEMENT

RESOLUTION 95-2-13-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that all job announcements for employees of the Ethics Commission shall include statements at the end of the announcement that 1) clearly state the deadline date for receipt of applications and resumes, and 2) the Commission reserves the right to withdraw the job and job announcement at any time.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

RESOLUTION 95-2-13-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that, pending the adoption of operating procedures, all needs, strategies, procedures, and job announcements regarding Ethics Commission personnel hiring will be considered and approved by the Ethics Commission prior to implementation.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

XI. DISCUSSION AND POSSIBLE ACTION REGARDING REIMBURSEMENT TO COMMISSIONERS FOR EXPENSES INCURRED IN CONNECTION WITH THE CONDUCT OF OFFICIAL BUSINESS

RESOLUTION 95-2-13-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that a survey of practices of City Commissions and Committees be undertaken to ascertain practices regarding reimbursing Commission and Committee members for expenses incurred in connection with the conduct of official business; and, further resolved that, until the Ethics Commission has received, studied, and taken action on the survey, Commissioner Kalb's motion at the January 9, 1995, commission meeting on parking reimbursement be rescinded.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

ACTION: Commissioner Pating designated, without objection, Commissioner Hendricks to be the point person to obtain the information relating to this resolution.

XII. DISCUSSION AND POSSIBLE ACTION REGARDING SUPERVISOR TERENCE HALLINAN'S PROPOSED LEGISLATION ON CAMPAIGN CONTRIBUTION/EXPENDITURE LIMITS

ACTION: Randy Riddle gave a brief overview of Supervisor Hallinan's proposed legislation on campaign contribution/expenditure limits. Commissioner Pating said that the Commission may decide to study the legislation further pending adoption of its operating procedures.

Speakers: Randy Riddle, Deputy City Attorney, City Attorney's Office; Dan Kalb.

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING TRANSITION WITH CITY DEPARTMENTS CURRENTLY PERFORMING FUNCTIONS OF THE ETHICS COMMISSION

A. Status Report
B. Motion(s) Regarding Transition With City Agencies

ACTION: Mr. Joel met with John Taylor, Clerk to the Board of Supervisors, to begin the transition of the lobbyist registration reporting and economic conflict of interest reporting responsibilities. The campaign finance disclosure filings for the semi-annual period ending December 31, 1994, will be transferred from the Register of Voters office to the Ethics Commission office during the week of February 20.

XIV. DISCUSSION AND POSSIBLE ACTION REGARDING DEVELOPMENT OF CODE OF CONDUCT AND MISSION STATEMENT FOR ETHICS COMMISSION

ACTION: Commissioner Hendricks requested that, due to time constraints, this agenda item will be addressed at the March 13, 1995, meeting.

XV. DISCUSSION AND POSSIBLE ACTION REGARDING POLICIES AND PROCEDURES FOR INTERNS AND VOLUNTEERS

ACTION: Commissioner Hendricks distributed a draft on operating procedures regarding interns and volunteers for Ethics Commission and requested that the draft be reviewed for discussion at the March 13, 1995, meeting.

Speaker: Timothy Gillespie.

XVI. DISCUSSION AND POSSIBLE ACTION REGARDING 1995-96 BUDGET

ACTION: Commissioner Hendricks announced that she would like to propose several editorial changes to be incorporated into the narrative portions of the 1995-96 budget, and these proposed editorial changes will be presented at the March 13, 1995, meeting.

XVII. SETTING AGENDA FOR NEXT MEETING

ACTION: Commissioner Pating announced that the next Ethics Commission meeting is scheduled for Monday, February 13, 1995, at 1660 Mission Street, Suite 2001, at 2:00 p.m. There will be status reports on all ongoing items, including operating procedures, discussion on the Whistleblower job description and on the recruitment strategy, and the election of permanent officers.

XVIII. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following person:

James Chaffee.

The meeting was temporarily adjourned at 5:45 p.m. for the closed session discussion as described in "XIX" and will reconvene with "XX."

XIX. CLOSED SESSION PURSUANT TO RALPH BROWN ACT, SECTION 54597 AND SUNSHINE ORDINANCE, SECTION 67.10(b): PUBLIC EMPLOYEE APPOINTMENT OF EXECUTIVE DIRECTOR

The meeting reconvened at 6:55 p.m. with Item XX.

XX. DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF CLOSED SESSION DISCUSSIONS AND ACTIONS PURSUANT TO SUNSHINE ORDINANCE, SECTION 69 14(a) AND GOVERNMENT CODE, SECTION 54957

RESOLUTION 95-2-13-XX: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks -- 3

MEETING ADJOURNED: 7:00 P.M.

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SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR FEBRUARY 23, 1995, 1:00 P.M.
1660 MISSION STREET, ROOM 2031
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10(b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Regarding Disclosure of Closed Session on Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14(a) and Government Code Section 54957.1

> Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director

V. Adjournment

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR MARCH 1, 1995, 1:00 P.M.
1660 MISSION STREET, ROOM 2031
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10(b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Regarding Disclosure of Closed Session on Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14(a) and Government Code Section 54957.1

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F
90
3/2/95

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SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR THURSDAY, MARCH 2, 1995, 1:00 P.M.
1660 MISSION STREET, ROOM 2001
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Regarding Disclosure of Closed Session on Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code Section 54957.1

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

V. Adjournment

This meeting location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with allergies, environmental illnesses, multiple chemical sensitivity or other related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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REVISED

SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR THURSDAY, MARCH 2, 1995, 1:00 P.M.
1660 MISSION STREET, ROOM 2001
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Motion on the Formation of a Search Committee for Recruitment of Executive Director

IV. Adjournment

This meeting location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or other related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR SATURDAY, MARCH 4, 1995

9:00 A.M. TO 5:00 P.M.

HALL OF HONOR ROOM

UNIVERSITY OF SAN FRANCISCO, GOLDEN GATE AVENUE AT KITTREDGE TERRACE

I. Discussion Session: To be facilitated by the Center for the Common Good.
Mission and Goals of the Ethics Commission

II. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

III. Adjournment

This meeting is an all-day study/discussion session, and no action or policy decisions will be made at this meeting. The Ethics Commission invites attendance by members of the community and comments and suggestions during the public comment portion of the session.

This meeting location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with allergies, environmental illnesses, multiple chemical sensitivity or other related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

San Francisco Ethics Commission

Minutes

March 4, 1995

University of San Francisco

Hall of Honor

CENTER FOR THE COMMON GOOD

Participants

Commissioners

Camille Hamilton Pating, Interim Chair
Virginia C. Gee
Jo Ann Hendricks
Donald Sloan

Guest

Mayor Frank Jordan

Center for the Common Good

Martin Paley, Facilitator
Gordon Firestein, Program Manager
Leslie Salmon, Graphic Recorder

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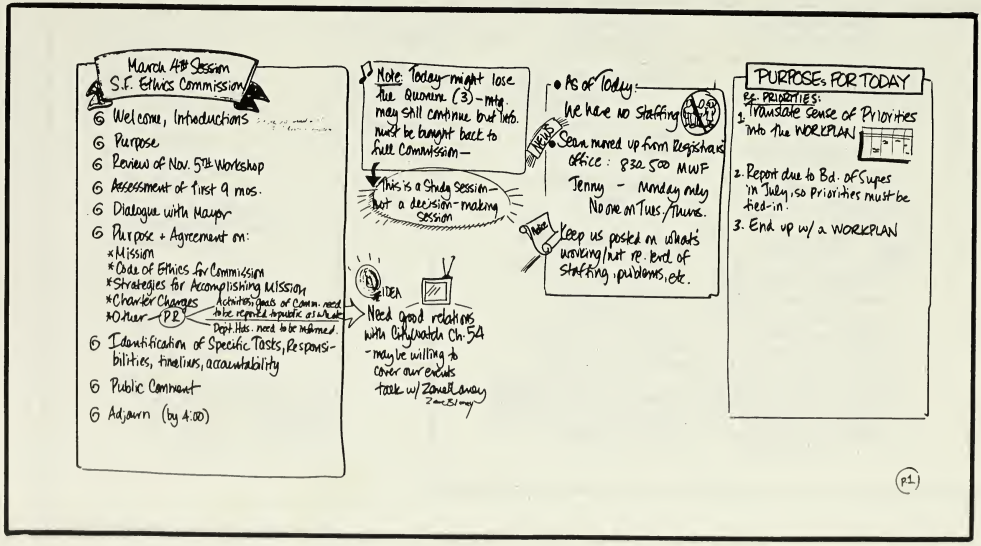
SF
E96
#2
3/4/95

➡ We began our work session with an agenda overview and a few sentences of "update" (See "As of Today") and then developed and agreed on the purposes for the day



➡ More updates...

Below are the Ques. is to prompt introductions

➡ Virginia and Jo Ann were the first two to introduce themselves...

Update:

* By-laws have been approved conditionally

are adopted now.

* Rules + Reqs —
  Are developing — have a DRAFT III
  - Need a special mtg (or 2-) JUST for Public Hearing on Rules + Reqs.

* (Rules) Operating Procedures —
  - will develop as we go along....
  - Will be easier to do when we have an Exec. Direc.

March 13 — Closed session to discuss finalist interviews
(feel optimistic ab. this...

candidates are also so excited!

INTRODUCTIONS...

Δ Growing Up
Δ Adult Years
Δ Community Involvement (apart from Career...)

Virginia Gee

- Native S.F. — 6th generation
- Catholic all-girls schools
- Grad USF
- Pac Bell — 1st career
  10 yrs. as Mgr. of Ops.
- Stanford Recruiter —
  — 10 yrs
- Stumbled into Public Policy — Calif. Apprenticeship Council Affirm. Action
  * Appointed w/ Fed Comm. of Apprenticeship
- Fellow at Coro — Pub. Policy
  * Full-time appt. under Duke
  * Wilson — Dept. of Industrial relations

Community Involvement (Honors)

* NPOs * Red Cross * Chinese Community
* LWVoters * Library Commission

— Appointed to this Comm.

FAMILY
- Husband
- Son

Jo Ann Hendricks

- b. Springfield — moved to Sacta (Dad in Newspaper biz)
  * to S.F.
  For Educ. Opportunities.
- SFSU — BA in Social Science/ Int'l. Relations
  Involved in politics → Free Speech movement
- U.N. involvement rep. Student Body
  Beginning of Political growth
- worked for Billy Graham — converted to Catholicism
- Worked in business — 12 yrs.
  Prentiss — met Unruh, E. Roosevelt, etc. — Impacted me!
- Pres. of Alumni Assoc. — asked to teach — LOVED it — City College — been there 23+ years
- 1975 — Ran for Bd. of Supers...
  Worked on lots of campaigns
- MA in Polit. Sci. 3 yrs ago — POLITICAL THEORY

Time w/ Mom Dep. Hen. Dep. Married

Mullen's Sr. Pres. Ch. Ch. Ch. Ch. Ch. Ch.

➡ Next, Don and Camille introduced themselves. The introductions seemed to bring out fascinating histories, points of commonality and deeper insights into one another.

Don Sloan

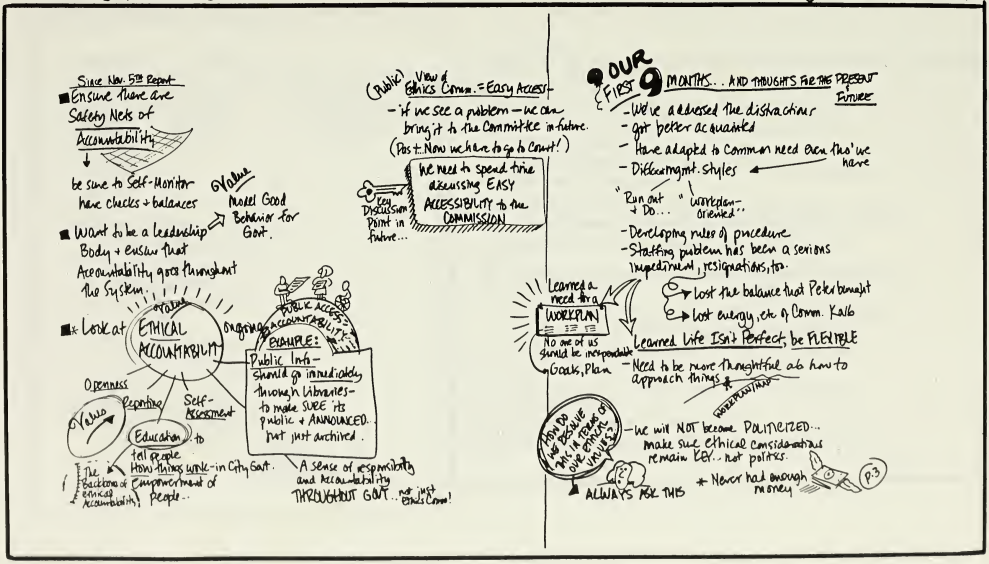
- my 1ST mtg — asked to serve — interested me
- Grew up in Kansas -
- Was in Army
  Then Law School at Yale
  - Been in Bay Area for 17 yrs.
- Been involved in Politics since I was 14!
- Gay/lesbian Community — key political involvement — Aids epidemic — needed lobbying legislature —
  - *Chaired LIFE LOBBY (Aids)
    - Been involved in most non-partisan Gay/Lesb. groups.
- Been on many Bds —
  Interests / Campaign Finance issues! Lobbying.
- Dealt w/ most everyone in elected office in town — also involved in State, Fed. levels
- ▲ Want to see what I can do to improve things.

Camille Hamilton-Parker

- 34 y.o. — earliest influence: born parents in Civil Rights movement
  - Communist, etc. — ppl. gathered @ our homes —
- Came here to go to Stanford:
  - Asian Amer. Issues
  - African Amer. Issues
  - Womens Issues
  - Demo. Party Politics

  Thought I'd go into Public Interest Law
- UCLA Law School — Bills!
  - took 'paying job' SF Law Firm — learned how NOT to practice law — ghost wrote briefs for partners — didn't like it —
  - Took opportunity to take job as Dep. City Attorney... this was beg of SF politics — later involved in more campaigns —
    - did Civil Rights & Constitutional related work.
    - Also did Police issues work
- Last few years w/ City Atty. —
  - A * of cases under Political Reform Act arose...
  - Building Inspector — parceled 50-60,000 of jobs into Real Estate portfolios worth MILLIONS —
  - HOW?
  - Became Hd. of unit to investigate + prosecute these cases
  - Got rid of worst VIOLATORS —
- Married in 1985 — have a son born in '92
  - * became involved in Neighborhood Associations — Activism.
- Called ab. this position — Wanted to be involved...

On the left side of this graphic is a brief "report" of key issues since the Nov. 5th session, with a concentrated discussion around the "bottom line" values of this group, focusing primarily on ETHICAL ACCOUNTABILITY. On the right side, recent learnings and observations



➔ More learnings. issues, updates, and issues to address in our early stages

Since Nov. 5..

- OUR BUDGET!

ISSUES

Cuts, Cuts Cuts.

Unfunded Mandates

DO THIS.. BUDGET

☆ In our early stages — make SURE we're not being "used" by one agency against another etc.

- Enforcement Activities...

We're now logging requests + referring people to alternative sources — other agencies because we have no staff, no investigators

PLUS.

We don't have guidelines + protocols in place yet — no rules, procedures in place —

(IN PROGRESS) Re Ethical Accountability THROUGHOUT GOVT...

Want Comm. to go to Bd. to help them develop systems" for ethical accountability

EXAMPLE: Hold workshops, etc. re HOW TO BUILD ETHICS INTO GOVT

➔ We then brainstormed open, honest questions to share with Mayor Jordan who was soon to arrive

HONEST DIALOGUE WITH THE MAYOR TODAY... QUESTIONS...

- A ⇨ His view of the formation of Ethics Comm. — was opposed to it — want to know his rationale — and what are his views NOW?
- B ⇨ What's his feeling / sense of support for our budget, questions abt. our plans in Fiscal yr. etc.
- C ⇨ Does the City's $44 m cut affect us, or are we going to be "different"/ supported? WHAT IS THE PRIORITY OF THE ETHICS COMM?
- D ⇨ Does he know the scope of the change of the Commission?
- E ⇨ How do we create w/him + generally, a constituency for ETHICS in Govt, in the political process?
- F ⇨ If the budget IS trimmed, what alternatives can he offer us to get the job done, e.g. cooperation among agencies, facilitated by him.
- G ⇨ Can he help us with temp. staff (for Tues, Th. for example) — promise: not politicize our office, just help staff it
- H ⇨ Linkage of the Human Resource Dept. — we can help foster accountability there.
- I ⇨ Communication line with someone in his office... with whom?
- J ⇨ Does the Mayor consider himself bound by actions of this Comm?

P.8

The Mayor arrived, and Camille reviewed for the Mayor, the Charter of the Ethics Comm. – their scope.

Mayor Jordan expressed a deep interest in the Commissions' questions and concerns and proceeded to answer each one (see reference letters "A"–"J" referring list of questions, previous page)

Summary of Ethics Comm. Charter 5 Gen. Accts (Camille) — SCOPE OF OUR CHARGE

* NOT IN ORDER...

1. Campaign Fin. Disclosure
   - Filing Statements
   - Auditing Stmts.
   - Maintaining Documents
   - Transition to Electronic Filing
2. Lobbyist Registration + Regulation
3. Enforcement of Ethics-related laws, including laws
4. Education + Outreach Programs
   - for public officials
   - Candidates
   - Pub. employees
   - public in general

   Seminars / Manuals

   Qs: We want to help EXISTING bodies of GOVT. to POLICE THEMSELVES
5. Advice-giving — to Depts, public, Bd. of Supers, etc. about ethical issues, what needs to be done, progress made, etc.

DIALOGUE WITH THE MAYOR...

NOTE: Would like to see Pres. of Bd. of Supes working w/ this Comm. + the Mayor = UNIFIED EFFORT / UNIFIED MESSAGES

"A": was reluctant to the Comm. idea because it was so broad in scope – How to screen/deal w/ all the issues? – Seemed overwhelming – Concerned there'd be conflicts abt. what Commission should do what...

* What it to be SUCCESSFUL... "bracketing your limitations" is helpful – LIMIT your DREAMERS – look @ how NOT to duplicate other's efforts

* Other Concerns: what do you get/not get involved in? – someone now is getting signatures for Chief of Police to be an elected position – I'm against it – does it then go to this Comm?

Need an evaluator for this

Re. Bonn hot etc. – How to staff EVERY public meeting?

Further Ed'n: Privatizing Orgs (Cecilia) Programs... ... may be Lobbyists behind scenes...

Comm. Orgs have conflicts on many sides of issues

Deficits / City's about to blow...

"B" – It's actually $100m – will have to evaluate it – everyone gets into the mix, incl. this Comm – Must find an amt. of $ to get it off the ground + GO – let's go thru' each item + see what's necessary. e.g. Office Space, staffing etc.

"C" – Was learning abt. it today – glad to know you're setting parameters.

"D" – I'm learning abt. it today – glad to know you're setting parameters.

"E" – Need to present the POSITIVE FRONT

FOUND REPORT

Clean City Dept. Should not be a Code of Ethics

"F" – Tell me what you need, I'll try to help.

"G" – Tell me what you need, I'll try to help.

"H" – Absolutely, we should help the HR Dept.

"I" – Robert Oates, liaison to Bd. of Supers – Business all lines of Communication the CFN! – and look at: Should there be another person, too? Ask Robert's advice on this.

"J" – I want to see ETHICS in everything we do – yes I may not agree with you – not hard to please.

→ The open dialogue with the Mayor continued, with comments from Robert Oakes (at left) and the Commissioners. The Mayor's comments are circled below. Note that the #s "4, 5, 12, 3" next to the Large "RCG" are the Mayor's prioritization of the Commission's Charter listed on the previous page, left side.

● Roberts' (Oakes) Comments:

re: "Open Meetings—
Our office is contacted for investigating allegations—
—we believe Comm-Act violations should be looked into by Mayor's office.
—This is one ethical obligation → DUE MANA

Would like to see DIRECTION from Comm. on this issue

(Mayor Jordan:)

Hopes Dream

Remember—as you talk of everything you need/want to do, I'm having to allow the public change of downsizing
—Concerned ab. how far afield you can go with the down-sizing focus.

Mayor's weekly Dept. Hd. mtgs. monthly Dept. mtgs.
MAKE PRESENTATION to aldermen
* Project Needs * Ask for guidelines
+ Collect what they have

Also come to Commission Presidents' meetings
Mayor meet with Appointing Authorities

Mayor thinks Commission is—
* RESOURCE,
* PARTNERSHIP
"D ME

re. PLANNING..
(Sec Ann.)
We're always trying to find other resources to accomplish our goals—work w/ other orgs/agencies/depts. plus private sector (no bono jobs, assistance.

● Camille's Responses:

- We don't envision this Comm. becoming a major Govt. bureaucracy!
- We're trying to FOCUS on SPECIFIC ASSIGNMENTS
- We've been focusing on laying the FOUNDATION these past 9 months

■ Re. Budget-
We were advised to "Pad" our budget, but rather, we included in our budget:
✓ Part-time investigator
✓ " " " auditor
✓ " " educ.+outreach specialist (to be phased-in when we have a prog)
✓ " " filing clerk
✓ Two part-time filing clerks to work during election time.
✓ We made a specific effort to put together a justifiable, reasonable budget. If ANY of the above positions were eliminated, programs would have to be axed!

MAYOR'S PRIORITIES 4,5,12,3 #

Mayor

Mayor → Educ. + Outreach VERY important — WIN/WIN
Mayor → Advice-Giving to Depts., Public, etc. — WIN/WIN

● Campaign Funding Disclosure—
- Check outside resources—pro bono private sector help... (Rabbi's we already recd a lot of pro bono work).

▲ Lobbyist Regs.—important because of election issues

* Enforcement of Ethics + related laws—(HOW? Do this ongoing).

(Virginia:)
Our calls are all about Charge "#1"—
We're trying to get to "#4"!

Are the Mayor's Priorities Good?

● Comm. Gee's responses:

We're an example of an unfunded mandate.
If you were in our position, given the Mandates, how would you prioritize them in terms of Good Gov't?

Don's response:

● In area "#1"—people will find us. If they see us as referees, but we don't even have a WHISKE... we won't get much done!

To Ann

● What's listed here is already what we know we must do—we get pressures from diff sides.

(6b)

➡ We concluded our dialogue with a few brief comments at left, and an expressed desire for more opportunities to meet with Mayor Jordan in the future. On the right, below, we had concluded the official part of the meeting (lost our Quorum) and allowed public comment and Commission comments reflections

COMMENTS:

- THIS COMMISSION
  - no direct reporting to any ONE agency
  - important to us... need contact w/ Appointing Authorities.
- OUR VIEW –
  We're not here forever – and all our efforts are towards GOOD GOVERNMENT
- We want to be ETHICAL in all respects, not MAYOR's REPRESENT politicized. Need to have a cadre of people "standing by" for when there's an illness, someone is leaving, etc.

☆ We hope for MANY MORE DIALOGUES WITH THE MAYOR...

Have Similar Meetings w/ Other Commissions, etc

☆ PUBLIC COMMENT

☆ OFFICIAL PORTION OF MTG. ADJOURNED due to lack of quorum. (Vote)

REFLECTIONS ON OUR SESSION WITH MAYOR

- Excellent! Nice to hear his views + it will help us prioritize
- Appreciate his candor – re. the Comm. + our direction
- Willing to convene appointing authorities
- Very helpful – had a concern this would be a "free-ranging enterprise" and He heard clearly about our mandates + budget constraints
- It was a good educational process for him
- re. Alternatives to budget + keeping us linked w/ (other) Depts + Comms. This is where he can help us –

P7

1. At, we looked closely at our Mission Statement and made some suggestions for additions, changes, etc. The "scroll" contains our latest "draft mission statement" The large "#2" is what would naturally follow a mission; the strategies to accomplish the mission.

STRATEGIES = THE MEANS TO ACCOMPLISH THE MISSION

1. Education
2. Enforcement (Investigation + Enforcing Laws)
3. Enforcement Compliance (Monitoring Existing Regs/Laws)
4. Charter Outreach, P.R.
5. Mission

2

Means to Accomplish the Mission

1. Inform + educate
2. Monitor, oversee
3. Enforce
4. Recommend
   - Development Recommend new policies + procedures

MISSION

Too long! Needs to be concise - Say it ALL in one sentence

"The mission of ... is to..."

"...encourage the highest standards of ethical behavior in government"

and then list rest alternate as STRATEGIES

Connect ETHICS w/ how it relates to GOOD GOV'T.

ADD

The role of implementing laws concerning ethics -, not just "encouraging..."

+ Need to modify ea. item, e.g. find shorter way to say each one.

This Statement is Too general.

#2 however seems to pick up a lot of what's key.

"Promoting ethical behavior and adherence to..."

DISCUSSION - WHAT ELSE ARE WE DOING/WANT TO INCLUDE?

Brainstormed List.

ELEMENTS

- ACCOUNTABILITY...
- GOOD GOVERNMENT ... BASED ON PUBLIC TRUST...
- ETHICAL BEHAVIOR
- PUBLIC TRUST

"DRAFT" MISSION

1

Encourage the highest standards of ethical behavior and accountability to ~~(engender, enhance, or~~ assure, ~~foster~~ good government based on public trust

➜ We went deeper into an intense discussion of our values/our principles for working together as a Commission (see left, starred list next to the large "#3"). We then further defined each principle in the center and right columns. These definitions brought greater clarity to our list of values/principles.

OUR VALUES

"WE BELIEVE" or "OUR PRINCIPLES"... "FOR WORKING TOGETHER"

or "WE SEEK TO EMBRACE THESE..."

3 ☆ Be open or...

☆ Have full disclosure

☆ Accountability

☆ Mutual Respect

☆ Trust—Aspire to be trustworthy

☆ Be risk-takers, e.g. Setting a high standard for ourselves

☆ Fairness ☆ No prior conceptions

▲ Preamble to CODE OF ETHICS:

"We aspire to _____ personal accountability"

"USE THIS AS A "TEMPLATE"

Note suggested "preamble" to Code of Ethics

(public comment) Note: Look at the word APOLOGY in its truest sense.

☆

■ Further Definitions of Terms at left.

Openness means Full Disclosure of policy, procedures, decision-mkg.

Sense of personal responsibility to self as well as everyone in the community/public

= Agree to disagree respectfully. As a positive attitude about fellow Commissioners – the "league walk-to-gether". Civility and "beyond" → Golden rule PLUS! Treat people the way they have a RIGHT to be treated w/respect. Mayor or unknown person in audience get same treatment.

(we are them) → respect, kindness, openness

TRUST: Part of risk-taking with others, Extrust of others on Comm. to "do the right thing". Also, trust says "let the chips fall as they may". Trust someone will ask the right questions.

BOLD-TALKING: The willingness to stand up for your beliefs whether you're alone or as a group. Speak up (respectfully)

FAIRNESS: Stick to operate on the facts. Equality. Objectivity. Open-mindedness. Go through normal channels. Don't try to get advantage over our peers. Be responsible for fairness. Equal treatment of others.

NO PRIOR CONCEPTIONS: Fairness w/o malice. Don't be encumbered by previous acts. "Clean slate" attitude as much as possible. Understand that people do make mistakes. Past history should have some influence, however, e.g. if someone acquitted, they're INNOCENT.

OBJECTIVITY is key. enhances fairness---reminds us not to forget the "clean slate" view.

Tolerance, recognizing different people's time needs to get to a certain spot... not discounting anyone. Listen. Be deliberate. Respect differences. Understanding. Base things on merit. Don't rush to judgment. Be loving. Empathy. Firmness. Open-mindedness.

= Need to have balance among all these values.

(p9)

re CODE OF ETHICS — Changes/additions/Clarifications...

Notes: • Change some of the order/the flow ... + look at collapsing some.

- "...regarding the propriety of gov't. activity" – Change to "...the City's ethics laws and regulations"
- Do we all understand what "integrity" means? Can 1st + 3rd bullet be collapsed in some way?
- Bullet #6 – go beyond "heightening citizen expectations" – and ... "heighten citizen participation"...
- Too long in general. Should be simple principles.
- Some are what we're charged to do by charter, but are they really ethics items?
- "Treating all staff...etc. on down the page, seem to be items appropriate to a code of ethics; others are outcomes
- Combine the 8th bullet w/ the one beginning Ensuring...
- The last one could be deleted because it's so procedural... or say he will do a self-evaluation to make sure we're accountable

NOTE: Some of the Statements have been procedure

re PREAMBLE (discussion)

- Reverse second sentence to start with "in order that..."
- It's quite a mouthful

~~Combine the 8th bullet~~

➡ We reviewed our Code of Ethics. Suggestions for changes/additions/deletions and further issues for clarification are noted here. The large "#4" refers to the (sugges sequence of the elements thus far listed in this report:

1. Mission Statement
2. Strategies
3. Principles for working together
4. Code of Ethics

→ We laid-out a detailed work plan to make a commitment to follow-through. Under "priority level", each task was coded according to [illegible]tes on the immediacy of follow-through action needed. This work plan continues on the following page...

WORK PLAN	SUB-TASKS	PRIORITY LEVEL	WHO	WHEN
1. Hire a director	* establish probat. period * Review performance * Develop personnel policies * Hire support staff	A A A		• By April 1st - HIRED By May 1st ON THE JOB
2. Recruit + orient new member	* Review policies for participating in the selection	B B A		
3. Complete transfer of functions from other depts.	a. * Complete transfer of records - Register of Voters b. * Filing of upcoming election activities c. * Arrange for design, testing + implem. of electronic filing d. * Initiate Sonoma Hospital office e. Make sure we've listed all tasks necessary to complete transition. Schedule run	A A/B (Arrange funding)	Camille	e. = By June 1st - Complete transfer Plan
4. Final review of adopted by-laws	* Final Action	A A A		• By April 1st
5. Review + submit '95-'96 budget		A A A	Full Commission	• By March 15th mtg.
6. Secure interim staff for office (Tues, Th.)		B A A/B	Camille, Mayor	• By March 10th
7. Establish Intern/Volunteer Prog.		B/C B B/C	Jo Ann	• By May 1st
8. Cooperate Transition with other Commission Sign-off on Final Draft Point "A" D. Review + Adopt Rules + Reqs. for Enforcement		A A A/B	Don Shan	• By June 1st
9. Complete + adopt Mission Stmt, "Strategies/means", Code of Conduct for the Commission.		A A A		• By April 10th for the next DRAFT to present for public comment
10. Develop + implement an education plan.		B B/C B/C	Virginia as lead	• (want till staff gets on-board) Fall '95

Note * Numbers at left of each task were for reference only; not prioritized

→ Our work plan, continued. Note legend in "cloud" at bottom right re. urgency of each task.

11. Initiate/ Develop Operating Procedures		B B/C A/B		• Initiate as soon as staff gets on board CONTINUOUS...
12. Develop ~~[illegible]~~ public info. program	*Outreach to the Community	A A B	~~Camille and~~ Virginia as lead, work w/ M. Paley — Sect. pro bono help.	• ~~Here~~ PLAN by June • (Meet together right away)
13. Election of Officers		A A A		• By March 13th
14. Presentation to Dept, Hds. + Comm. Chairs	* Need Schedule + a Plan for this	B A B	Camille	• By April 10th
15. Meeting with Appointing Authorities	*Camille calls R. Oakes + work out logistics and format for that discussion	B A A	Hosted by Mayor (Camille to make call to R. Oakes)	• Within 30 days
16. Complete Whistle-blower job announcement		B A C	Harry?	• By March 13th to review status Initiating Selection: June 1st
17. Complete Annual Report		A A A	Camille	• By June 1st — Commission Approval • By July 1st — Submitted
THIS IS A [illegible] Develop + implement a Complaint/ Problem Resolution Process		(see other page)	Don	• By June 1st

CODE
A = RIGHT NOW
B = NECESSARY
C = DESIRABLE

AP

→ We concluded with the usual valuation of the session: 1 what worked / didn't work. Public comment was then received and recorded below. The session was adjourned.

↓

(TODAY'S MTG.)

WHAT WORKED

* The dialogue w/ fellow Commissioners
* Dialogue w/ the Mayor
* Food
* Location
* Staff
* Sticking to timeline
* Scope was good
* Productive
* Good climate for honesty.
* This room was better than other one.
* We're improving
* New Comm. jumped in
* Good public participation

WHAT DIDN'T WORK

* Lighting terrible!
* Punctuality
  - Be on time
  - move it along
* Hard to come to closure yet we cover a lot

Public Comment

→ Last time... was groping in dark; this session, in the dawn — later will be in full sunlight

→ Got some promises from Mayor re. budget

→ We became 3 "focus groups" — generated workplan — last time it was "pouned in mud", this time it's "in concrete"

→ Re. timeline — look at who's involved — be prepared that some things may get pushed to later dates... Bd. of Supes will be affected by some of these things.

→ Mayor's Dept. Hd's mtg. — needs to be done ASAP — they need to know when the Comm. is / what it's doing.

→ We're on the right track, but given all constraints, won't be on track till 96-97.

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SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR MARCH 6, 1995, 1:00 P.M.
1660 MISSION STREET, ROOM 2031
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Discussion and Possible Action Re: Regulations for Investigations and Enforcement Proceedings: Draft 3
- A. Presentation of Draft 3 of Proposed Regulations
- B. Review and Discussion By commission
- C. Public Comment
- D. Revision, Further Discussion, and/or Adoption of Regulations

V. Adjournment

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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SAN FRANCISCO ETHICS COMMISSION

NOTICE OF CANCELLATION OF SPECIAL MEETING

THE SPECIAL MEETING OF THE SAN FRANCISCO ETHICS COMMISSION SCHEDULED FOR:

MONDAY, MARCH 6, 1995

1:00 P.M.

AT 1660 MISSION STREET, ROOM 2031

SAN FRANCISCO

HAS BEEN CANCELED.

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SAN FRANCISCO ETHICS COMMISSION
SEARCH COMMITTEE AGENDA

AND NOTICE OF SPECIAL MEETING FOR THURSDAY, MARCH 9, 1995, 1:00 P.M.
1660 MISSION STREET, ROOM 3005
SAN FRANCISCO

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I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

IV. Discussion and Possible Action Regarding Disclosure of Closed Session on Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code Section 54957.1

> Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Executive Director.

V. Adjournment

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR MONDAY, MARCH 13, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

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I. Call To Order

II. Approval and Adoption of Minutes
Meeting of Febuary 13, 1995

III. Interim Chair's Report

IV. Status Report Re: Orientation for Ethics Commission (March 4, 1995)

V. Discussion and Possible Action Re: Hiring of Executive Director: Status Report

VI. Presentation to Interim Executive Director

VII. Setting special meeting for discussion of regulations of the San Francisco Ethics Commission for Investigations and Enforcement Proceedings

VIII. Discussion and Possible Action Re: San Francisco Ethics Commission Bylaws review and approval of final changes (Adopted Febuary 13, 1995)

IX. Nomination and Election of Officers 1995-1996

X. Discussion and Possible Action for Whistleblower Search

XI. Discussion and Possible Action Re: Development of Code of Conduct and Mission Statement for Ethics Commission

XII. Discussion and Possible Action Re: Policies and Procedures for Interns and Volunteers

XIII. Discussion and Possible Action Re: 1995 - 96 Budget

XIV. Discussion and Possible Action Re: Electronic Filings and Software Needs for Campaign Finance Disclosure Reporting

XV. Setting Agenda For Next Meeting

XVI. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XVII. Closed Session Pursuant to Ralph Brown Act, Section 54597 and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Executive Director

XVIII. Discussion and Possible Action Re: Disclosure of Closed Session Discussions and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code, Section 54957

XVIX. Adjournment

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR THURSDAY, APRIL 6, 1995, 1:00 P.M.
1660 MISSION STREET, SUITE 3005
SAN FRANCISCO

I. **Call To Order**

II. **Public Comment Regarding Matters Appearing or Not Appearing on the Agenda**

III. **Discussion and Possible Action Re: Rules and Regulations for Enforcement (Draft 3)**

IV. **Adjournment**

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR ~~THURSDAY~~ Monday, APRIL 10, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

I. Call To Order

II. Approval and Adoption of Minutes
Meeting of February 13, 1995

III. Interim Chair's Report
- A. Status of Pre Election Deadlines
- B. Discussion and Possible Action Re: Proposed Work Plan from March 4, 1995 Retreat

IV. Discussion and Possible Action Re: Electronic Filing
- A. Status Report
- B. Transfer of Responsibilities from Registrars' Office
- C. Request for Purchase of Electronic Filing Software

V. Discussion and Possible Action Re: Request from John Taylor
Re: Campaign consultants acting as Lobbyists

VI. Discussion and Possible Action Re: Reimbursement of Administrative Costs to Search Firm.

VII. Presentation to Interim Executive Director

VIII. Discussion and Possible Action Re: Staff Hiring
A. Whistleblower
B. Temporary Clerk Typist/Support Staff

IX. Discussion and Possible Action Re: Development of Code of Conduct and Mission Statement for Ethics Commission

X. Discussion and Possible Action Re: Policies and Procedures for Interns and Volunteers

XI. Discussion and Possible Action Re: 1995 - 96 Budget

XII. Setting Agenda For Next Meeting

XIII. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XIV. Adjournment

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MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, APRIL 10, 1995 - 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER DONALD E. SLOAN

IN ATTENDANCE RANDY RIDDLE, SHAWN ALLISON, ANDREW WAIR

ACTING CLERK SHARON M. EBERHARDT

MEETING CONVENED 2:06 P.M.

COMMISSIONER HAMILTON PATING, INTERIM CHAIR, PRESIDED.

I. INTERIM CHAIR'S REPORT
   A. Status of Pre Election Deadlines
   B. Discussion and Possible Action Re: Proposed Work Plan from March 4, 1995 Retreat

ACTION: Commissioner Pating reported on the status of the Pre Election Deadlines, which are deadlines that are up coming prior to November of 1995; the status of the Ethics Commission's five areas of responsibility: Campaign Finance Disclosure, Education and Training, Enforcement, the Recording, Reporting, and Filing of the other kinds of forms functions.

Commissioner Pating requested that the staff and commissioners record volunteer time spent on projects and condition of projects passed on to them.

Commissioner Pating and Shawn to meet with Mr. Taylor, clerk of the Board of Supervisors, within the next 30 days to discuss Ethics Commission taking over conflict of interest forms filing function.

Commissioner Pating introduced representatives from the Center for the Common Good to give a report on the proposed work plan from the March 4, 1995 retreat.

Commission Gee, seconded by Commissioner Sloan, moved to adopt the work plan in principle.

Motion carried by the following vote:

Ayes: Pating, Gee, Sloan - 3

Speakers: Martin Paley, Center for the Common Good; Timothy Gillespie.

II. PRESENTATION TO INTERIM EXECUTIVE DIRECTOR

ACTION: Commissioner Pating introduced outgoing Interim Executive Director, Harry Joel; thanked him for his service to the Ethics Commission and presented him with a certificate of appreciation.

III. DISCUSSION AND POSSIBLE ACTION RE: ELECTRONIC FILING
A. Status Report
B. Transfer of Responsibilities from Registrar's Office
C. Request for Purchase of Electronic Filing Software

ACTION: Commissioner Sloan made presentation on his discussions with the Registrar's Office regarding transfer of Electronic Filing to Ethics Commission.

Commissioner Pating suggested that Harry Joel, Shawn Allison, Timothy Gillespie, Mr. Chaffee and other interested users communicate with Commissioner Sloan what steps need to occur for the Ethics Commission to take this over and then a time table can be discussed.

Commissioner Gee suggested that the Thursday, April 13 meeting with the Registrar's Office be honored; that all issues be kept on the table and that the Ethics Commission continue to negotiate with the Registrar's Office. Commissioners Sloan and Pating will attend meeting.

Speakers: Harry Joel, Shawn Allison, Timothy Gillespie, Bruce Pettit, Mr. Chaffee.

IV. APPROVAL AND ADOPTION OF MINUTES 2/13/95

ACTION: Due to lack of a quorum, item continued without objection until next meeting.

Speaker: Randy Riddle.

V. DISCUSSION AND POSSIBLE ACTION RE: REQUEST FROM JOHN TAYLOR RE: CAMPAIGN CONSULTANTS ACTING AS LOBBYISTS

ACTION: Commissioner Pating proposed, without objection, that she write back that the Ethics Commission has discussed this and is not in a position to take action on this now and to offer a deferral.

Commissioner Pating directed Shawn to contact Supervisor Kaufman's office for current drafts of reports from the Select Commission on Charter Reform and have her staff keep Ethics Commission advised of all changes. Copies to go to all members of the Ethics Commission.

Speakers: Mr. Gillespie, Mr. Riddle.

VI. DISCUSSION AND POSSIBLE ACTION RE: REIMBURSEMENT OF ADMINISTRATIVE COSTS TO SEARCH FIRM

ACTION: Commissioner Pating, without objection, continued item until next meeting.

VII. DISCUSSION AND POSSIBLE ACTION RE: STAFF HIRING
A. Whistleblower
B. Temporary Clerk Typist/Support Staff

ACTION: Commissioner Gee made a presentation regarding her discussion with Civil Service Commission.

Commissioner Pating, seconded by Commissioner Sloan, moved that the process go forward to hire a temporary support staff person.

Motion carried by the following vote:

Ayes: Hamilton Pating, Gee, Sloan - 3.

Harry Joel reported on status of Whistleblower.

Speakers: Shawn, Harry Joel.

VIII. DISCUSSION AND POSSIBLE ACTION RE: DEVELOPMENT OF CODE OF CONDUCT AND MISSION STATEMENT FOR ETHICS COMMISSION

ACTION: Commissioner Pating, without objection, continued item until next meeting.

X. DISCUSSION AND POSSIBLE ACTION RE: POLICIES AND PROCEDURES FOR INTERNS AND VOLUNTEERS

ACTION: Commissioner Pating, without objection, continued item until next meeting.

X. DISCUSSION AND POSSIBLE ACTION RE: 1995 - 96 BUDGET

ACTION: Commissioner Pating, without objection, continued item until next meeting.

XI. SETTING AGENDA FOR NEXT MEETING

ACTION: All items now present will be reported on with a report on Charter Reform situation.

XII. PUBLIC COMMENT RE: MATTERS APPEARING AND NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following persons:

Mr. Chaffee, Mr. Gillespie.

Commissioner Gee noted that item one on the agenda should be public comments. Copies of the By-Laws are now available to the public.

There being no one else present wishing to speak, the Chair declared the public comment portion of meeting closed.

MEETING ADJOURNED: 4:45 P.M.

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SAN FRANCISCO ETHICS COMMISSION AGENDA

4/20/95

AND NOTICE OF SPECIAL MEETING FOR THURSDAY, APRIL 20, 1995, 2:00 P.M. 1660 MISSION STREET, SUITE 2001 SAN FRANCISCO

I. Call To Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Reduction of Budget Request

IV. Discussion and Possible Action Re: Request for Purchase of Electronic Filing System
A. Authorization for Ethics Commission to Make Request
B. Amount of Request for Proposal

V. Adjournment

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MINUTES OF APRIL 20, 1995

MEETING OF SAN FRANCISCO ETHICS COMMISSION

A Special Meeting of the San Francisco Ethics Commission ("Commission") was convened by Chair Camille Hamilton Pating at 2:00 p.m. on Thursday, April 20, 1995. The meeting took place at 1660 Mission Street, Room 2001. In addition to Commissioner Pating, the meeting was also attended by Commissioners Virginia C. Gee and Donald E. Sloan. Commissioner Joanne Hendricks was excused from attending for medical reasons.

After calling the meeting to order, Commissioner Pating moved to public comment on the agenda. There was no public comment on the agenda.

The principal subject of the meeting was the anticipated reduction of the Commission's FY 95-96 budget request by the Mayor's Office. Commissioners Pating and Gee attended a meeting with Rich Hillis of the Mayor's budget staff, and Commissioner Pating reported on that meeting. Mr. Hillis informed Commissioners Pating and Gee that the Commission's draft budget of $390,000 would be reduced to the $225-250,000 range. Mr. Hillis stated that the Mayor's office initially felt that $190,000 would be an appropriate funding level for the coming fiscal year, but in light of tasks transferred from other agencies, it was also felt that perhaps an amount slightly above that level would be appropriate. Mr. Hillis recommended eliminating several positions in the draft budget, including the Clerk/Typist position and the Ethics Investigator position.

Mr. Hillis told Commissioners Pating and Gee that the Commission had two options with respect to the reduction of our budget request: (1) voluntarily revise and resubmit the budget with funding requests at a lower level, or (2) allow the Mayor's office to make the cuts it deems appropriate. The disadvantage of the second option is that it would preclude the Commission from submitting supplemental budget requests for areas involuntarily reduced by the Mayor's Office.

After substantial discussion, it was moved and seconded that the Commission voluntarily revise and resubmit a budget of $250,000. After further discussion and public comment, the motion was passed unanimously, 3-0.

A substantial component of the decision to submit a redrafted budget request was the feeling that we should strongly protest the adequacy of the analysis which led the Mayor's Office to propose cuts in the Commission's draft

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budget. The comparisons made to out of state agencies are not proper in that those agencies are part-time, volunteer-staffed agencies with more limited mandates than ours. The Commission unanimously agreed that the Budget Analyst's report was deeply flawed and that efforts should be made to get a more accurate analysis in future budget cycles.

The Commission also felt strongly that in proposing our reduced budget, we should state certain assumptions behind the reduced levels of funding. Among the potential assumptions considered by the Commission were the following:

1. That the reduced funding level allowed by the Mayor's Office would require us to concentrate on only one of the tasks assigned us by the Charter, the task of accepting and monitoring election-related filings. There will be inadequate staff and resources for the other missions assigned by the Charter.

2. The level of funding in the Mayor's proposal would not allow the Commission to take over election-related filings on its own premises with its own staff. The Commission will have to continue to rely heavily on the premises and staff of the Registrar of Voters, who was budgeted to be out of the business of supervising filings for "San Francisco-only" filers as of the end of calendar 1994.

3. Even within the elections-related area, we will have to limit our enforcement, investigation and audit functions due to staff and facilities limitations.

4. There will have to be significant staff cross-training, so that different and unrelated missions can be performed by the same staff members.

5. The limited budget will force the Commission to continue to accept physical facilities which are inadequate to allow public access, or to provide security for our files, or to fully maintain confidentiality of complaints filed with the Commission. The present storage of files also raises concerns under OSHA and the Americans with Disabilities Act.

6. Within the elections area of responsibility, the level of funding provided will only be sufficient to respond to a relatively low level of public interest in viewing hard copies and electronically-filed campaign disclosure reports. It will also assume that we will have a low number of complaints to investigate.

Again, the Commission's vote to propose a reduced budget, consistent with the level of funding the Mayor's office is willing to support, is premised in substantial part on all of the above-stated limitations and assumptions.

Besides the budget discussion outlined above, the other major item of business was a discussion of the proposal to shift up to $15,000 in our FY 1994-95 budget to funding of a Request for Purchase of software necessary to implement the electronic filing requirements recently imposed by San Francisco ordinance. Commissioner Pating reported on an April 13, 1995, meeting attended by her and Commissioner Sloan with Registrar of Voters Germaine Q. Wong and Naomi Nishioka of the Registrar's staff. As a result of the discussions at that meeting and the budget limitations imposed by the Mayor's office, it was agreed that the Commission cannot take over physical responsibility for campaign disclosure filings at its present offices. The Registrar agreed that filing would continue to take place at the Registrar's office through the 1995 City elections, with support from the staff of the Commission.

At the same April 13 meeting with the Registrar's office, there was a discussion of implementing electronic filing. The Registrar's office agreed to take responsibility for drafting a Request for Purchase (RFP) and the Commissioners agreed to present to the full Commission a proposal to fund the RFP.

At the Commission Special Meeting of April 20, 1995, there was a substantial discussion of the funding issue. It is not clear whether software producers will respond to the RFP at that level. It was also agreed that there needs to be a careful review of expenditures and outstanding payables before finally approving a transfer of funds from the current budget to fund the electronic filing RFP. It was moved and seconded that, conditional upon determining that such funding is available to be transferred in the current FY budget, up to $15,000 of current year Commission funds be transferred to fund the RFP for electronic filing. Final consideration of this motion will be made at the Commission's regular meeting of May 8, 1995. If the motion is finally adopted on May 8, the RFP will be circulated as soon after May 8 as possible, for responses in June 1995, and action by the Commission as soon as possible thereafter.

There being no other business before the Commission, the meeting adjourned at 3:50 p.m.

Respectfully submitted,

_____

CMR Donald E. Sloan

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR THURSDAY , MAY 4, 1995, 1:00 P.M. 1660 MISSION STREET, SUITE 2001 SAN FRANCISCO

I. Call To Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Discussion and Possible Action Re: Rules and Regulations for Enforcement (Draft 3)

IV. Adjournment

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Ethics Commission

401 Van Ness Avenue, Room 303
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

SAN FRANCISCO ETHICS COMMISSION AGENDA

I II III

AND NOTICE OF MEETING FOR MONDAY, MAY 8, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

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I. Call To Order

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

III. Approval and Adoption of Minutes
- Meeting of February 13, 1995
- Meeting of April 10, 1995
- Special Meeting of April 20, 1995

IV. Chair's Report
A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors-Draft 1
B. Discussion and Possible Action Re: Proposed Work Plan from March 4, 1995 Retreat

V. Discussion and Possible Action Re: Electronic Filing
A. Status Report
B. Review and Final Approval of Request for Purchase of Electronic Filing Software

VI. Discussion and Possible Action Re: Reimbursement of Administrative Costs to Search Firm.

VII. Discussion and Possible Action Re: Charter Reform

VIII. Discussion and Possible Action Re: Staff Hiring
A. Whistleblower
B. Temporary Clerk Typist/Support Staff

IX. Discussion and Possible Action Re: Development of Code of Conduct and Mission Statement for Ethics Commission

X. Discussion and Possible Action Re: Policies and Procedures for Interns and Volunteers

XI. Discussion and Possible Action Re: 1995 - 96 Budget
A. Status Report
B. Review and Final Approval of 1995-96 Conditional Budget Cuts

XII. Setting Agenda For Next Meeting

XIII. Public Comment Re: Matters Appearing Or Not Appearing on the Agenda

XIV. Adjournment

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MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, MAY 8, 1995 - 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DONALD E. SLOAN

STAFF IN ATTENDANCE RANDY RIDDLE, SHAWN ALLISON

ACTING CLERK SHARON M. EBERHARDT

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MEETING CONVENED 2:08 P.M.

COMMISSIONER HAMILTON PATING, CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following person:

Mr. Timothy Gillespie

Commissioner Gee recommended that Item V and Item VI on the agenda be reversed in order of discussion.

II. APPROVAL AND ADOPTION OF MINUTES
A. Meeting of February 13, 1995
B. Meeting of April 10, 1995
C. Special Meeting of April 20, 1995

ACTION: Commissioner Gee, seconded by Commissioner Hendricks, moved that the minutes of February 13, 1995 be approved with the following recommendations:

1) Commissioners who wish statements made by the public be reflected in the minutes, direct the person taking the minutes to please record those statements for those minutes.

2) The February 7, 1995 memorandum by Naomi Nishioka be attached to the February 13, 1995 minutes and be included in the original file and the public access file.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks - 3

Abstentions: Sloan - not member of Ethics Commission on February 13, 1995.

Commissioner Hendricks, seconded by Sloan, moved that the minutes of April 10, 1995 be approved with the following corrections:

1) Page 1 - Change Andrew Wair to Andrew Weir.

2) Page 1 - Change title of Commissioner Pating from interim chair to chair.

3) Page 2 - Item IV, delete "due to lack of a quorum and insert "Adoption of February 13, 1995 minutes".

4) Page 4 - Item VII, under speakers, change to read "Shawn Allison, Harry Joel".

5) Page 1 - Change "In Attendance" to read "Staff in Attendance".

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Sloan, seconded by Gee, moved to adopt the minutes of the April 20, 1995 with the following corrections:

1) Page 1 - Change heading to read "Special Meeting".

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Pating noted that tapes of the Special Meeting of May 4, 1995 will be made available to the public for review.

Speaker: Anita Mayo

III. CHAIR'S REPORT

A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors-Draft 1

B. Discussion and Possible Action Re: Proposed Work Plan from March 4, 1995 Retreat

ACTION: Commissioner Pating will continue to work with Jane Rubin on the draft report and will submit it to the Commission and the public for review probably within the next week.

The Commission will have at least one and possibly two regular meetings to consider it and may schedule a special meeting , if one is needed.

Discussion of Work Plan temporarily deferred until copies of Plan are available to commissioners.

IV. DISCUSSION AND POSSIBLE ACTION RE: REIMBURSEMENT OF ADMINISTRATIVE COSTS TO SEARCH FIRM

ACTION: Commissioner Hendricks made presentation on the meetings with the Alexander Group regarding reimbursement of their administrative costs.

The Alexander Group was instructed to submit an itemized statement for consideration by the Commission.

Commissioner Pating reported that all out of pocket costs agreed to at the June 26, 1994 meeting have been paid. The Commission is now being asked to consider the administrative costs of the work done by the administrative assistant on the search.

Commissioners Hendricks, Gee, and Sloan agreed that not much can be done without seeing breakdown of costs.

Commissioner Pating, without objection, will have copies of the memo from Steve Vogel made available to the members of the Commission for discussion at the next meeting or at a special meeting.

Speaker: Randy Riddle

V. DISCUSSION AND POSSIBLE ACTION RE: PROPOSED WORK PLAN FROM MARCH 4, 1995 RETREAT

ACTION: Commissioner Pating reported on the status of each item as follows:

1. Done.
2. Half done.
3. Commissioner Sloan to report on today.
4. Done.
5. Commissioner Pating to report on today.
6. Not worked on since last discussed.
7. Commissioner Hendricks to report on today.
8. Meeting scheduled for May 31, 1995.
9. Commissioner Hendricks to report on today.
10. Assigned to Commissioner Gee.
11. Waiting for Executive Director.
12. Waiting for Executive Director.
13. Terms end June 31, 1995.
14. Working with Robert Oakes.
15. Scheduled for next retreat.
16. Already discussed.
17. Already discussed.
18. Developed along with Rules and Regulations.

Next retreat scheduled for May 24, 1995, 1-6PM, Room 141, Lone Mountain Conference Center. Supervisor Kevin Shelley has been invited to attend. A confirmation letter will be sent to Supervisor Shelley's office. Shawn Allison will prepare retreat agenda for delivery tomorrow. July 8, 1995 scheduled for next work session.

Commissioner Pating, without objection, designated Commissioner Hendricks the point person and Commissioner Gee as the alternate to work with Mr. Paley and the Center for the Common Good in planning the agenda for future retreats.

Mr. Paley introduced a new member of the Center for the Common Good, Nancy Lee.

Commissioner Gee suggested that a date and initials of preparer be included on future handouts.

Speakers: Randy Riddle, Martin Paley, Shawn Allison

VI. DISCUSSION AND POSSIBLE ACTION RE: ELECTRONIC FILING
A. Status Report
B. Review and Final Approval of Request for Purchase of Electronic Filing Software

ACTION: Commissioner Sloan made presentation on status of Electronic Filing.

Based on the numbers as they were explained and presented by Shawn Allison in his inter-office memo, Commissioner Pating invited a motion from commissioners that the Commission give final

approval to the action that was conditionally approved at the April 20, 1995 meeting.

Commissioner Gee, seconded by Sloan, moved that final approval be given to the conditional approval of request for the purchase of electronic filing software for up to $15,000 from the fiscal 1994-95 budget.

Motion carried by the following vote:

Ayes: Hendricks, Gee, Sloan, Pating - 4

Commissioner Pating, without objection, appointed Commissioner Sloan to contact Germaine Wong to advise her of the Commission's actions and to report on the ongoing status on the preparation of the RFP and the bid process. Preston Tom in City Attorney's Office to be kept advised.

Speakers: Shawn Allison, Randy Riddle

VII. DISCUSSION AND POSSIBLE ACTION RE: CHARTER REFORM

ACTION: Commissioner Pating gave presentation on her discussions with the executive director of the Commission on the Status of Women.

Commissioner Hendricks requested the Chair or her designee contact Supervisor Kaufman's office to see if there could be some working together with the Commission on some areas and to find out if there is a last day for input from city agencies.

Commissioner Pating recommended that her fellow commissioners review pages 62-65, dealing with Ethics and pages 12 and 13, which deal with Powers of Commissions.

Commissioner Gee encourages Charter Reform Committee to have a stronger statement as a Preamble.

Commissioner Pating may attend tomorrow's meeting as a private citizen and encourages the commissioners and members of the public to contact her with their concerns.

Commissioner Pating will contact Supervisor Kaufman's office and will continue to investigate what input the Commission might have, as a commission, after tomorrow.

Item to be continued for discussion at next month's meeting.

VIII. DISCUSSION AND POSSIBLE ACTION RE: STAFF HIRING
A. Whistleblower
B. Temporary Clerk Typist/Support Staff

ACTION: Item discussed at last meeting - no further discussion necessary. Executive director will report her findings to the Commission at next month's meeting.

IX. DISCUSSION AND POSSIBLE ACTION RE: POLICIES FOR INTERNS AND VOLUNTEERS

ACTION: Commissioner Gee recommended that the word "payment" be deleted from line 4.

Commissioner Pating asked Commissioner Hendricks to shepherd the program from adoption of policy to implementation. Commissioner Sloan offered his assistance.

Item to be continued to next meeting.

X. DISCUSSION AND POSSIBLE ACTION RE: DEVELOPMENT OF CODE OF CONDUCT AND MISSION STATEMENT FOR ETHICS COMMISSION

ACTION: Commissioner Pating, without objection, under Strategies to Implement the Mission, Item 1, change from "the clearly informed politicians and other government officials" to "candidates for public office, public employees, and other officials and members of the public".

Commissioner Sloan, without objection, Item 2, under strategies, after "actively to enforce all ethics rules and laws" add "including campaign finance and open government laws".

Commissioner Gee, without objection, Code Ethics - 3rd Bullet, replace "government employees" with "elected and appointed officials; 5th Bullet, replace "charity" with "fairness".

XI. DISCUSSION AND POSSIBLE ACTION RE: 1995-96 BUDGET
A. Status Report
B. Review and Final Approval of 1995-96 Conditional Budget Cuts

ACTION: Commissioner Pating reported on the April 12, 1995 meeting with the Mayor.

After the budget is revised, it will move on to the Budget Analyst office for their review and recommendations, then it goes to the Board of Supervisors.

A letter, submitted on the Commission's behalf, by the Center of the Common Good was sent to the Mayor urging that the Ethics Commission get its full funding of $390,000.

Options available to Commission: Mobilizing public opinion or other forms of support; pursuing private grants.

Commissioner Pating, without objection, suggested that Commissioners Hendricks and Gee discuss with Mr. Paley placing on the agenda for the next retreat whether the Commission wants to stop here or pursue other avenues and the ethical considerations of other options.

XII. SETTING AGENDA FOR THE NEXT MEETING

ACTION: The following items were suggested for inclusion in the June 12, 1995, Commission agenda:

1. All items now reported on.
2. Executive Director Report.
3. Office Space.

XIII. PUBLIC COMMENT RE: MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following person:

Mr. Gillespie

There being no one else present wishing to speak, the Chair declared the public comment portion of meeting closed.

MEETING ADJOURNED: 4:47 P.M.

NOTICE OF SPECIAL MEETING

SAN FRANCISCO ETHICS COMMISSION

WEDNESDAY, MAY 24, 1995, 1:00 P.M.

UNIVERSITY OF SAN FRANCISCO
LONE MOUNTAIN CONFERENCE CENTER, ROOM 141
2800 TURK STREET, SAN FRANCISCO

AGENDA

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1. CALL TO ORDER

2. WORK SESSION FOR ETHICS COMMISSION TO BE MODERATED BY THE CENTER FOR THE COMMON GOOD*

3. PUBLIC COMMENT ON ITEMS APPEARING OR NOT APPEARING ON THE AGENDA

4. ADJOURNMENT

* THIS IS A WORK-STUDY SESSION FOR THE ETHICS COMMISSION. NO ACTION WILL BE TAKEN BY THE COMMISSION AT THIS MEETING. ALL MEMBERS OF THE PUBLIC ARE INVITED TO ATTEND.

THIS LOCATION IS WHEELCHAIR ACCESSIBLE. IN ORDER TO ASSIST THE CITY'S EFFORTS TO ACCOMODATE PERSONS WITH SEVERE ALLERGIES, ENVIRONMENTAL ILLNESSES, MULTIPLE CHEMICAL SENSITIVITY OR RELATED DISABILITIES, ATTENDEES ARE REMINDED THAT OTHER ATTENDEES MAY BE SENSITIVE TO VARIOUS CHEMICAL-BASED PRODUCTS. PLEASE HELP THE CITY ACCOMODATE THESE INDIVIDUALS.

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF SPECIAL MEETING FOR THURSDAY, MAY ~~24~~ 25, 1995,
1:00 P.M. 1660 MISSION STREET, SUITE 2031
SAN FRANCISCO

I. Call To Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Discussion and Possible Action Re: Rules and Regulations for Enforcement (Draft 3)

IV. Adjournment

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*This room (2031) is Different from the Regular Meeting Room (2001)

Ethics Commission

401 Van Ness Avenue, Room 303
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR MONDAY, JUNE 12, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

I. Call To Order

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

III. Approval and Adoption of Minutes: Meeting of May 8, 1995

IV. Chair's Report
A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors - Draft I
B. Discussion and Possible Action Re: Work Plan Progress

V. Discussion and Possible Action Re: Planning for July 8, 1995 Retreat
Presentation by Center for the Common Good

VI. Director's Report
A. Discussion and Possible Action Re: FY 1994-95 Budget
B. Discussion and Possible Action Re: Office Space
C. Discussion and Possible Action Re: Staff Hiring, Interns and Volunteers
D. Discussion and Possible Action Re: FY 1995-96 Budget

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VII. Discussion and Possible Action Re: Electronic Filing

VIII. Discussion and Possible Action Re: Reimbursement of Administrative Costs to Search Firm

IX. Discussion and Possible Action Re: Charter Reform

X. Discussion and Possible Action Re: Adoption of Code of Conduct and Mission Statement for Ethics Commission

XI. Discussion and Possible Action Re: Adoption of Enforcement Regulations

XII. Discussion and Possible Action Re: Election of Officers

XIII. Discussion and Possible Action Re: Policies and Procedures for Swearing-In

XIV. Setting Agenda for Next Meeting

XV. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

XVI. Adjournment

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

DRAFT

MINUTES

ETHICS COMMISSION MEETING
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, June 12, 1995 - 2:00 P.M. 1660 MISSION ST., SUITE 2001

PRESENT COMMISSIONER CAMILLE HAMILTON PATING
COMMISSIONER VIRGINIA C. GEE
COMMISSIONER JO ANN HENDRICKS
COMMISSIONER DONALD E. SLOAN

STAFF IN ATTENDANCE JANE RUBIN, SHAWN ALLISON

ACTING CLERK SHARON M. EBERHARDT

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MEETING CONVENED 2:05 P.M.

COMMISSIONER HAMILTON PATING, CHAIR, PRESIDED.

I. PUBLIC COMMENT REGARDING MATTERS APPEARING OR NOT APPEARING ON THE AGENDA

ACTION: No comments were brought forth from the public.

II. APPROVAL AND ADOPTION OF MINUTES

ACTION: Commissioner Hendricks, seconded by Commissioner Gee, moved that the Minutes of May 8, 1995, be approved with the following corrections:

1) Page 3, Item IV, first ACTION item - Delete the words "meetings with" and insert "the services of".

2) Page 3, Item IV, third ACTION item - Change the second sentence to read: "The Commission is now being asked to consider the work done by the Alexander Group on the second search for the Executive Director".

3) Page 3, Item IV, fourth ACTION item - correct "Vogel" to "Fogel".

4) Page 3, Item V, first ACTION item - after "item" insert "of the work plan".

5) Page 4, second ACTION item - Delete the fourth sentence.

6) Page 4, second ACTION item - Change the last sentence to read "The next work session is scheduled for July 8, 1995".

7) Page 4, third ACTION item - Delete "future retreats" and insert "the May 24 retreat".

8) Page 4, fifth ACTION item - Delete "handouts" and insert "editions of the work plan".

9) Page 4, fifth ACTION item - Make this the second ACTION item.

10) Page 6, Item IX, first ACTION item - After "line 4" insert " of the draft policy".

11) Page 6, Item X, first ACTION item - After "without objection," insert "on the fourth draft".

12) Page 7, Item XI, third ACTION item - After "Center" insert "for".

13) Attach a copy of the Work Plan to the Minutes of May 8, 1995.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

III. CHAIR'S REPORT

A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors-Draft 1

B. Discussion and Possible Action Re: Work Plan Progress

ACTION: Commissioner Pating will continue to work with Jane Rubin on getting a draft to the Commission and has been in communication with Kevin Shelley's office as to the status of the Annual Report and the recommendations that can be made at this time.

Commissioner Pating, without objection, continued item to next meeting.

Discussion of Work Plan temporarily deferred until Martin Paley of the Center for the Common Good arrives.

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IV. DISCUSSION AND POSSIBLE ACTION RE: PLANNING FOR JULY 8, 1995 RETREAT
A. Presentation by the Center for the Common Good.

ACTION: Item temporarily deferred until Mr. Paley from the Center for the Common Good arrives.

V. DIRECTOR'S REPORT
A. Discussion and Possible Action Re: FY 1994-95 Budget
B. Discussion and Possible Action Re: Office Space
C. Discussion and Possible Action Re: Staff Hiring, Interns and Volunteers
D. Discussion and Possible Action Re: FY 1995-96 Budget

ACTION: Jane Rubin reported on the first month of her tenure as Executive Director and updated the status of four administrative issues: FY 1994-95 Budget; Office Space; Staff Hiring; FY 1995-96 Budget.

Commissioner Pating requested, without objection, Commissioner Gee, on behalf of the Commission, attend the public hearing scheduled for June 21, 1995, at 1:30 PM.

VI. DISCUSSION AND POSSIBLE ACTION RE: ELECTRONIC FILING

ACTION: Jane Rubin reported on the Bidders Conference she attended this week with Germaine Wong and Naomi Nishioka from the Registrar of Voters Office. Two bidders, SDR and Aristole, submitted bids within the $12,000 ceilings as indicated in the RFP.

VII. DISCUSSION AND POSSIBLE ACTION RE: CHARTER REFORM

ACTION: Commissioner Pating reported on her conversations with T.J. Anthony, Aide to Supervisor Kaufman, regarding the May 9, 1995 meeting on Charter Reform and discussed with him the concerns expressed at the May 8, 1995 Commission meeting.

Commissioner Gee attended the May 9, 1995 meeting as an individual and submitted her suggestions in writing to the Committee on Charter Reform.

Speaker: Bruce Pettit

VIII. DISCUSSION AND POSSIBLE ACTION RE: REIMBURSEMENT OF ADMINISTRATIVE COSTS TO SEARCH FIRM

ACTION: Commissioner Hendricks made a presentation on the status of the reimbursement of administrative costs to the Alexander Group.

Commissioner Pating designated, without objection, Commissioner Gee, on behalf of the Commission, to work with the Executive Director, to the extent the Executive Director feels comfortable, to work this out to some agreement with the Alexander Group for partial reimbursement of administrative costs up to $5,000 and to report back to the Commission the results.

IX. DISCUSSION AND POSSIBLE ACTION RE: PLANNING FOR JULY 8, 1995 RETREAT

A. Presentation by Center for the Common Good

ACTION: Commissioner Pating introduced Martin Paley of the Center for the Common Good to give a presentation on the plans for the July 8, 1995 retreat.

Commissioner Sloan announced that he had submitted his letter of resignation, effective June 30, 1995, to City Controller Harrington.

Commissioner Hendricks moved, seconded by Commissioner Gee, that at least one representative of the Commission in the accompany of Mr. Paley, if he is willing and able to do so, meet with the appointing authorities to talk with them about the commitment and requirements of membership on the Commission prior to the appointments being made.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Gee recommended that Jane and one of the commissioners work together with Mr. Paley to update the Work Plan to reflect the May 24th changes.

Commissioner Pating moved, without objection, that the retreat date remain July 8, 1995; one week prior Commissioner Hendricks and Jane Rubin will check with Mr. Paley to make sure what is appropriate given these other meetings that are going to happen.

Commissioner Pating thanked Mr. Paley and his associates at the Center for the Common Good for their services at the May 24, 1995 retreat and for their contributions and commitment to the Commission over the past nine months.

X. CHAIR'S REPORT
B. Work Plan Progress

ACTION: Commissioner Pating, without objection, continued item to next meeting.

XI. DISCUSSION AND POSSIBLE ACTION RE: ADOPTION OF CODE OF CONDUCT AND MISSION STATEMENT FOR ETHICS COMMISSION

ACTION: Commissioner Hendricks submitted the Draft 5 of the Code of Conduct and Mission Statement.

Commissioner Gee moved, seconded by Commissioner Sloan, the adoption of Draft 5.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Hendricks presented two Proposals:

1) That the Ethics Commission develop an "Ethics Watch" and offered a first draft of an Ethics Statement to be completed by all candidates running for public office in San Francisco.

2) That the Commission develop a handout, outlining the Code of Conduct and the Mission Statement for the Ethics Commission and submitted a first draft for consideration by the Commission.

Commissioner Pating requested, without objection, that these items be placed on the July 8, 1995 agenda for the retreat and that the Ethics Statement for Candidates be calendared for discussion at the next Ethics Commission Meeting on July 11, 1995.

Commissioner Pating suggested, without objection, that Jane Rubin work with Janice McKenzie, the Center for the Common Good and Commissioner Hendricks in developing the handout as a public relations piece.

A special meeting, requested by Commissioner Hendricks, was scheduled for June 27, 1995, 1 PM, to work on the Ethics Statement for Candidates.

XII. DISCUSSION AND POSSIBLE ACTION RE: ADOPTION OF ENFORCEMENT REGULATIONS

ACTION: Commissioner Pating presented Draft 5 of the Enforcement Regulations for adoption.

X. CHAIR'S REPORT
B. Work Plan Progress

ACTION: Commissioner Pating, without objection, continued item to next meeting.

XI. DISCUSSION AND POSSIBLE ACTION RE: ADOPTION OF CODE OF CONDUCT AND MISSION STATEMENT FOR ETHICS COMMISSION

ACTION: Commissioner Hendricks submitted the Draft 5 of the Code of Conduct and Mission Statement.

Commissioner Gee moved, seconded by Commissioner Sloan, the adoption of Draft 5.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Hendricks presented two Proposals:

1) That the Ethics Commission develop an "Ethics Watch" and offered a first draft of an Ethics Statement to be completed by all candidates running for public office in San Francisco.

2) That the Commission develop a handout, outlining the Code of Conduct and the Mission Statement for the Ethics Commission and submitted a first draft for consideration by the Commission.

Commissioner Pating requested, without objection, that these items be placed on the July 8, 1995 agenda for the retreat and that the Ethics Statement for Candidates be calendared for discussion at the next Ethics Commission Meeting on July 10, 1995.

Commissioner Pating suggested, without objection, that Jane Rubin work with Janice McKenzie, the Center for the Common Good and Commissioner Hendricks in developing the handout as a public relations piece.

A special meeting, requested by Commissioner Hendricks, was scheduled for June 27, 1995, 1 PM, to work on the Ethics Statement for Candidates.

XII. DISCUSSION AND POSSIBLE ACTION RE: ADOPTION OF ENFORCEMENT REGULATIONS

ACTION: Commissioner Pating presented Draft 5 of the Enforcement Regulations for adoption.

Commissioner Gee moved, seconded by Commissioner Hendricks, to adopt Draft 5 as amended.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Speaker: Anita Mayo

XIII. DISCUSSION AND POSSIBLE ACTION RE: Election of Officers

ACTION: Commissioner Pating called for nominations for the offices of Chair and Vice Chair of the Ethics Commission.

Commissioner Hendricks moved, seconded by Commissioner Sloan, that Virgingia Gee serve as the chair for the next fiscal year.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Gee moved, seconded by Commissioner Sloan, that Jo Ann Hendricks serve as Vice Chair for the next fiscal year.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Speakers: Mr. Chaffee, Mr. Paley

XIV. DISCUSSION AND POSSIBLE ACTION RE: POLICIES AND PROCEDURES FOR SWEARING-IN

ACTION: Commissioner Pating moved, seconded by Commissioner Gee, that in order to promote fairness and impartiality, both in deed and perception, all staff members of the Ethics Commission shall be sworn in, if applicable to their appointments, by the President of the Commission in a public and neutral setting.

Motion carried by the following vote:

Ayes: Pating, Gee, Hendricks, Sloan - 4

Commissioner Gee suggested that there be a ceremony to swear-in Jane Rubin as the new Executive Director.

Commissioner Pating, without objection, appointed Commissioner Gee to work with Jane on the details of the swearing-in.

XV. SETTING AGENDA FOR NEXT MEETING

ACTION: The proposal by Commissioner Hendricks was suggested for inclusion in the agenda for the special meeting of June 27, 1995.

All items now reported on were suggested for inclusion in the July 10, 1995 Commission agenda.

XVI. PUBLIC COMMENT RE: MATTERS APPEARING AND NOT APPEARING ON THE AGENDA

ACTION: The privilege of the floor was granted to the following person:

Mr. Chaffee.

There being no one else present wishing to speak, the chair declared the public comment portion of the meeting closed.

MEETING ADJOURNED: 5:12 P.M.

ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

27/95
(Special)

ILLE HAMILTON PATING
CHAIR PERSON

VIRGINIA C. GEE
VICE-CHAIR PERSON

JO ANN HENDRICKS
COMMISSIONER

DONALD E. SLOAN
COMMISSIONER

JANE E. RUBIN
EXECUTIVE OFFICER

SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR TUESDAY, JUNE 27, 1995,
1:00 P.M.
1660 MISSION STREET, ROOM 2001
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Presentation of Proposal by Commissioner Jo Ann Hendricks Re: Standards of Ethical Conduct

IV. Adjournment

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Special

SUMMARY REPORT
San Francisco Ethics Commission Meeting
1660 Mission St., Rm. 2001
June 27, 1995

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Members Present: **Camille Hamilton Pating, Chair**
Virginia C. Gee, Vice-Chair
Jo Ann Hendricks

Staff Present: **Shawn Allison**

Others Present: **Anita Mayo, Pillsbury Madison & Sutro**

A special meeting of the Ethics Commission was held on June 27, 1995.

Background: At the Commission's regularly scheduled meeting held on June 12, 1995, a discussion was held on a draft of the Commission's proposed Standards of Ethical Conduct for Candidates for Public Office, submitted for review and adoption by Commission Vice-Chair Jo Ann Hendricks. Commissioner Hendricks had proposed that the Commission develop and approve a code of ethical conduct for distribution to candidates. The Commission would request that candidates sign and return this document to the Commission.

Special Meeting: On June 27, 1995, a special meeting was held to discuss a second draft of this document dated June 26, 1995. A notice of this special meeting had been sent to all major candidates for all major offices, along with an agenda and copies of materials that Commissioner Jo Ann Hendricks had provided, pertaining to the proposed campaign practices code.

(continued on page 2)

At the June 27 meeting, Anita Mayo of Pillsbury, Madison & Sutro presented to the Commission a copy of a fair campaign practices code approved by the Fair Political Practices Commission (FPPC). Ms. Mayo reported that the FPPC's code had been distributed to all candidates for public office via the Registrar's Office, which retains the completed forms for 30 days for public view. Commissioner Hendricks advised that she had not been aware of the FPPC's distribution of this code to candidates.

It was therefore decided that the matter of adoption and distribution of a fair campaign practices code should be placed on the agenda for the next regular Ethics Commission meeting scheduled for July 10, 1995.

Respectfully submitted,

Ginny Vida

Ginny Vida
Investigator/Auditor

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Ethics Commission

401 Van Ness Avenue, Room 303
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR MONDAY, JULY 10, 1995, 2:00 P.M.
1660 MISSION STREET, SUITE 2001
SAN FRANCISCO

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I. **Call To Order**

II. **Public Comment Re: Matters Appearing or Not Appearing on the Agenda**

III. **Approval and Adoption of Minutes: Meeting of June 12, 1995**

IV. **Chair's Report (Former and Current Chair)**
- **A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors - Draft I**
- **B. Discussion and Possible Action Re: Work Plan Progress**

V. **Director's Report**
- **A. Discussion and Possible Action Re: Office Space**
- **B. Discussion and Possible Action Re: Staff Hiring, Interns and Volunteers**
- **C. Discussion and Possible Action Re: FY 1995-96 Budget**
- **D. Discussion and Possible Action Re: Electronic Filing**
- **E. Discussion and Possible Action Re: Activities Scheduled**

VI. **Discussion and Possible Action Re: Proposed Standards of Ethical Conduct for Candidates for Public Office**

VII. **Discussion and Possible Action Re: Swearing-In**

VIII. **Discussion and Possible Action Re: Scheduling and Planning for Next Retreat**
Presentation by Center for the Common Good

IX. **Setting Agenda for Next Meeting**

X. **Public Comment Re: Matters Appearing or Not Appearing on the Agenda**

XI. **Adjournment**

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APPROVED
1/8/96

MINUTES OF THE SAN FRANCISCO ETHICS COMMISSION MEETING
1660 MISSION ST., ROOM 2001
JULY 10, 1995, 3:00 p.m.

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I. Call to Order and Roll Call. Commission Chair Virginia C. Gee called the meeting to order at 2:00 p.m. The following were present:

MEMBERS PRESENT:	Virginia C. Gee, Chair; Jo Ann Hendricks, Vice-Chair; Camille Hamilton Pating
STAFF PRESENT:	Jane E. Rubin, Executive Director Shawn Allison, Administrative Assistant
OTHERS PRESENT:	Julie Moll, Deputy City Attorney Nancy Lee, Center for the Common Good

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda. There was no public comment.

III. Approval and Adoption of Minutes: Meeting of June 12, 1995. Review and Approval of the minutes of the June 12, 1995 meeting was postponed until the August 12, 1995 meeting.

IV. Chair's Report (Former and Current Chair).

A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors - Draft 1. Commissioner Camille Hamilton Pating announced that the first draft of the Commission's Annual Report to the Board of Supervisors is not available today, but will be ready on July 14, 1995. Commission Chair Virginia Gee asked Executive Director Jane Rubin to serve as

liaison to the Board of Supervisors re: compliance with the City Charter concerning this document. The Commission will review and make a decision on the Annual Report at its next meeting.

B. Discussion and Possible Action Re: Work Plan Progress. Commission Chair Gee asked Ms. Rubin to report on the Work Sheet distributed at today's meeting. Ms. Rubin noted that some of the Work Plan goals have been accomplished: the hiring of the Executive Director, recruitment and orientation of new members, the drawing up of an electronic filing contract, submission of a budget for 1995-96, adoption of the by-laws, the upgrading of Shawn Allison's hours to full-time status, recruitment of an intern for the month of June 1995, adoption of the Rules and Regulations for Investigation and Enforcement (on June 12, 1995); and forwarding of that document to the Board of Supervisors. If the Commission hears nothing in 60 days, it can assume that the Rules and Regulations have been approved by the Board of Supervisors. The mission statement and code of conduct were also approved at the last Commission meeting.

Commission Chair Gee suggested that the Ethics Commission's mission statement be incorporated into the by-laws and placed on the agenda for the next meeting. Commission Vice-Chair Jo Ann Hendricks suggested that a separate chart be prepared for completed items.

Ms. Rubin noted that no narrative is required to accompany the proposed budget. Election of officers was also held at the Commission's last meeting. Ms. Rubin will make a presentation about the Commission at the July 31, 1995 department heads meeting. All department heads will be present. There is no new information regarding meetings with appointing authorities.

Ms. Rubin advised that job announcements are in progress for all titles, the annual report is being prepared, and a complaint and inquiry log has been developed. She suggested that the Commission develop a new cycle for the work plan, deleting items completed or summarizing them elsewhere, and adding additional items as they emerge. Commission Chair Gee stated that she would like this to be a historical, chronological record of ongoing progress.

Commissioner Jo Ann Hendricks suggested, and commissioners present agreed, that a separate chart should be prepared for completed goals. Commissioner Hendricks suggested that the Commission should prepare its own one-page code of ethics, share this with other city and county agencies and work with them to develop their codes. Commissioner Hendricks also suggested that the Commission ask each agency head to appoint an ethics officer for each agency who will act as liaison with the Commission.

Commission Chair Gee advised that the Commission members will review the next revised work plan at a future meeting.

V. Executive Director's Report

A. Discussion and Possible Action Re: Office Space. Ms. Rubin reported that the Real Estate Office had referred her to a space at 1155 Market Street, which she subsequently learned was not available. Space is difficult to obtain. There might be a space available at 25 Van Ness in 3-4 months, or an underground space near Brooks Hall might become available, but the building will be closed for some period. There is also potential space at Fox Plaza.

B. Discussion and Possible Action Re: Staff Hiring, Interns, and Volunteers. Ms. Rubin reported that she had met with Human Resources re: budget lines and reclassification for staff positions. She filled out a 15-page form for each position indicating skills and experience needed. Last week Ms. Rubin received confirmation of new classifications for all positions. There will be different levels of the same title (Special Assistant, exempt, non-list), which will allow the Commission to write its own job notices and hire any qualified applicant. The job notices, with a list of duties and requirements, were faxed to Human Resources today and were distributed at today's meeting. Human Resources has been asked to fill in salary ranges.

Ms. Rubin advised that the Investigator/Auditor and Whistleblower/Educator positions are the highest and second-highest level positions. She will provide the commissioners with an organizational chart. Ms. Rubin has reviewed 30 resumes selected by Harry Joel from 200 submitted for the Whistleblower position following the job posting in January 1995. Of the 30, Ms. Rubin will contact 8 or 10 for an interview. Another 3 or 4 of these applicants may be considered for the Investigator/Auditor job. Commissioner Chair Gee and Commissioner Hendricks

indicated that they wished to be involved in the final selection process for the Investigator/Auditor position.

C. Discussion and Possible Action Re: FY 1995-96 Budget Ms. Rubin reported that the Mayor's Office had proposed $263,000 as the Commission's budget for FY 1995-96. After much negotiation, the final budget enacted by the Budget Committee of the Board of Supervisors was $261,480. (The budget analyst's office had cut our funding back to about $199,000.) The Commission will have to pay its own rent out of the amount budgeted.

D. Discussion and Possible Action Re: Electronic Filing. Ms. Rubin advised that two bids had been submitted, one by Aristotle, and one by SDR Technologies, Inc. Ms. Rubin and the senior staff of the Registrar's Office reviewed the bids and were in agreement that SDR had the best concept of what is needed. They also were willing to provide services for $12,000, the amount the Commission had proposed. A contract is being prepared. Funding for this item has been set aside from the last fiscal year's surplus, carried over per arrangement with the Controller's office.

E. Discussion and Possible Action Re: Activities Scheduled Ms. Rubin reported that she recently visited the office of the Los Angeles Ethics Commission. She had productive discussions with staff and received very useful materials (brochures, handbooks, training curricula, auditor's manual), plus an offer of continuing assistance. The Commission can send its staff down there for training.

Ms. Rubin said she had been invited to serve as a panelist at a conference sponsored by the California Attorney's Association on September 16, 1995, but may not be able to accept because the annual convention of the Council on Government Ethics Law, which she is already committed to attend, begins on September 17, 1995 in Washington, DC.

VI. Proposed Standards of Ethical Conduct for Candidates for Public Office. Commissioner Hendricks said that at the last Commission meeting on June 12, 1995, a discussion had been held on the draft of the Commission's proposed Standards of Ethical Conduct for Candidates for Public Office. A second proposed draft was also distributed, dated June 26, 1995. In addition, Anita Mayo, of Pillsbury, Madison & Sutro, presented to the Commission a copy of a

Fair Campaign Practices document contained in the State Elections Code, approved by the FPPC. The FPPC's code had been distributed to all candidates for public office via the Registrar's Office, which retains the competed forms for 30 days for public view. Commissioner Hendricks said she had not been aware of the State code's distribution. She noted that the Commission needs to decide whether to create our own standards or adopt those prepared by the FPPC. The Commission also needs to address the issue of enforcement, which was also raised at the June 1995 meeting but not resolved.

Ms. Rubin reported that, prior to the last meeting, the Commission had sent to all major candidates for all major offices a notice of the special meeting, along with an agenda, and a copy of materials that Commissioner Hendricks had provided, pertaining to the proposed campaign practices code. A subsequent mailing advised candidates that this subject would be under discussion again at today's Commission meeting. Recipients of the mailing were invited to comment either at the meeting or by mail. No comments from candidates have been received to date.

Ms. Rubin noted that the Commission will not have authority to enforce a campaign practices code, since participation is voluntary. Commissioner Camille Hamilton Pating noted that the Commission is already authorized to investigate substantive violations of the law , but agreed that we have no comparable authority to enforce a campaign ethics code.

After further discussion, it was determined that the Commission will adopt the FPPC's code, send it to candidates with a cover letter urging them to sign the compliance form if they have not already done so, and hold the signed documents for public viewing so that interested voters can determine which candidates signed and which did not. The mechanics of follow-up will await staff review.

95-7-10-1 (Gee/Hendricks) Moved, Seconded, and Passed: That the Ethics Commission will mail the Code of Ethical Conduct of the Fair Political Practices Commission to all potential candidates for their signature and delivery to the Commission, where the signed statements will be available for public viewing.

Commissioner Hendricks stated for the record that her interest in proposing an Ethics Commission code of conduct for candidates was strictly her own initiative;

it was not motivated by her association with the Mayor (as his Commission appointee) and was not related to the Mayor's own proposal of a code of conduct for candidates. She encourages any member of the public who believes Ms. Hendricks has a secret agenda to bring this to her attention at a Commission meeting, and she will be pleased to respond.

VII. Discussion and Possible Action Re: Swearing-In. At the Executive Director's suggestion, it was decided that the Commission will have a swearing in of the Executive Director when the Commission and the office are fully operable. Ms. Rubin will alert the Library about this decision.

VIII. Discussion and Possible Action Re: Scheduling and Planning for Next Retreat/Presentation by the Center for the Common Good. Nancy Lee of the Center for the Common Good discussed plans for a planning session for the Commission's next retreat. Commission Chair Gee asked the staff of the Center for Common Good to work with Ms. Rubin in developing an agenda, and also asked that it include a discussion of responsibilities of commissioners and staff. Commission Chair Gee asked that a list of dates for monthly Commission meetings be prepared for the rest of the year.

IX. Setting Agenda for Next Meeting. Commission Chair Gee proposed, and the Commission approved, that review and approval of the June 12, 1995 minutes be placed on the agenda of the next Commission meeting. It was agreed that the agenda will include a report on the Alexander Group, the meeting with Janice McKenzie, and Charter reform update, in addition to items carried over from today's agenda.

X. Public Comment Re: Matters Appearing or Not Appearing on the Agenda There was no public comment.

XI. Adjournment. There being no further business, the meeting was adjourned at 3:25 p.m.

Respectfully submitted,

Shawn Allison
Administrative Assistant

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Ethics Commission

401 Van Ness Avenue, Room 303
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR WEDNESDAY, AUGUST 2, 1995,
1:00 P.M.
1660 MISSION STREET, ROOM 2001
SAN FRANCISCO

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I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Investigator/Auditor

IV. Discussion and Possible Action Regarding Disclosure of Closed Session on Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code Section 54957.1

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations in pending interviews and selection of its Investigator/Auditor

V. Adjournment

This meeting location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or other related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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Ethics Commission

401 Van Ness Avenue, Room 30
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

SAN FRANCISCO ETHICS COMMISSION

NOTICE OF MEETING CANCELLATION

The regularly scheduled meeting of the Ethics Commission calendared for August 14, 1995 has been cancelled.

The next regularly scheduled meeting of the Ethics Commission will be on September 11, 1995 at 1660 Mission Street, Room 2001, San Francisco.

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Ethics Commission

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FAX: (415) 554-6400

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SAN FRANCISCO ETHICS COMMISSION
AGENDA

AND NOTICE OF SPECIAL MEETING FOR TUESDAY, AUGUST 22, 1995,
2:00 P.M.
1660 MISSION STREET, ROOM 2001
SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or Not Appearing on the Agenda

III. Closed Session Pursuant to Ralph Brown Act, Section 54597, and Sunshine Ordinance, Section 67.10 (b): Public Employee Appointment of Investigator/Auditor

IV. Discussion and Possible Action Regarding Disclosure of Closed Session Discussion and Actions Pursuant to Sunshine Ordinance, Section 69.14 (a) and Government Code Section 54957.1

Motion that the Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations and actions in pending selection of its Investigator/Auditor

V. Adjournment

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Ethics Commission

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San Francisco, CA 94102
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FAX: (415) 554-6400

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NOTICE OF SPECIAL MEETING
SAN FRANCISCO ETHICS COMMISSION

WEDNESDAY, SEPTEMBER 6, 1995, 1:00 P.M.
UNIVERSITY OF SAN FRANCISCO
LONE MOUNTAIN CONFERENCE CENTER, ROOM 141
2800 TURK STREET, SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or not Appearing on the Agenda

III. Work Session for Ethics Commission to be moderated by the Center For The Common Good *

IV. Public Comment Regarding Matters Appearing or not Appearing on the Agenda

V. Adjournment

*This is a work-study session for the Ethics Commission. No action will be taken by the Commission at this meeting. All members of the public are invited to attend.

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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Special

Ethics Commission

401 Van Ness Avenue, Room 303
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

SAN FRANCISCO ETHICS COMMISSION

NOTICE OF MEETING CANCELLATION

The special meeting of the Ethics Commission calendared for Sept. 6, 1995 has been cancelled, and will be rescheduled at a later date.

The next regularly scheduled meeting of the Ethics Commission will be on September 11, 1995 at 1660 Mission Street, Room 2001, San Francisco.

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Ethics Commission

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Canceled

SAN FRANCISCO ETHICS COMMISSION

NOTICE OF MEETING CANCELLATION

The regular meeting of the Ethics Commission calendared for Sept. 11, 1995 has been cancelled due to lack of a quorum. If necessary, a special meeting will be announced.

The next regularly scheduled meeting of the Ethics Commission will be held on Tuesday, October 10, 1995, at 1660 Mission Street, Room 2001, San Francisco.

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Canceled

Ethics Commission

401 Van Ness Avenue, Room 303
San Francisco, CA 94102
Telephone: (415) 554-6464
FAX: (415) 554-6400

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NOTICE OF MEETING RESCHEDULING

Please be advised that the regular meeting of the Ethics Commission, originally scheduled for October 10, 1995, has been canceled and has been rescheduled.

The October, 1995 meeting of the Ethics Commission will be held on:

TUESDAY, OCTOBER 17, 1995 at 2:00 PM

WAR MEMORIAL BUILDING
401 VAN NESS AVENUE, ROOM 404
SAN FRANCISCO, CA 94102

Please note the new date and place for this month only. An agenda will be issued prior to the meeting.

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Ethics Commission

401 Van Ness Ave. Room 3
San Francisco CA 94102
Phone 554-6464 Fax 554-6

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR TUESDAY, OCT 17, 1995, 2:00 P.M.
401 VAN NESS AVE, ROOM 304A CONFERENCE ROOM
SAN FRANCISCO

I. Call To Order and Roll Call

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

III. Discussion and Possible Action Re: Minutes: Meetings of June 12, 1995 and July 10, 1995

IV. Introduction of new Commissioners and new Staff members.

V. Chair's Report
A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors
B. Discussion and Possible Action Re: Work Plan Progress
C. Discussion and Possible Action Re: Development of Internal Operating Procedures

VI. Director's Report
A. Discussion and Possible Action Re: Office Space
B. Discussion and Possible Action Re: Staff Hiring, Interns and Volunteers
C. Discussion and Possible Action Re: FY 1996-97 Budget
D. Discussion and Possible Action Re: Activities

VII. Discussion and Possible Action Re: Media Contacts, Articles and Responses

VIII. Discussion and Possible Action Re: Press Release/Update to Appointing Authorities

IX. Discussion and Possible Action Re: Scheduling and Planning for Next Retreat

X. Discussion and Possible Action Re: Setting Revised Commission Meeting Calendar

XI. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

XII. Adjournment

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MINUTES OF THE
SAN FRANCISCO ETHICS COMMISSION MEETING
401 VAN NESS AVENUE, ROOM 304A
OCTOBER 17, 1995

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MEMBERS PRESENT: Virginia C. Gee, Chair
Jo Ann Hendricks, Vice Chair
Geoffrey Gordon-Creed
Brant T. Lee

STAFF PRESENT: Jane E. Rubin, Executive Director
Shawn Allison, Administrative Assistant
Cheryl Bernstein, Whistleblower/Educator
Ginny Vida, Investigator/Auditor

OTHERS PRESENT: Julie Moll, Deputy City Attorney

I. Call to Order and Roll Call. Commission Chair Virginia C. Gee called the meeting to order at 2:00 p.m.. All commissioners were in attendance.

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda. There were no comments from the public.

III. Discussion and Possible Action Re: Minutes: Meetings of June 12, 1995 and July 10, 1995. Commission Chair Gee requested that Commission Vice-Chair Jo Ann Hendricks review and correct minutes from June 12 and July 10 meetings, since they had originally been put over for major revision. Executive Director Jane Rubin read the guidelines for adoption of the minutes from Robert's Rules of Order, in view of the fact that two former commissioners are no longer members of the Commssion.

IV. Introduction of New Commisioners and New Staff Members. Commissioner Gee introduced the two new Commissioners: Geoffrey Gordon-Creed, appointed by the City Attorney; and Brant T. Lee, appointed by the

Controller. Commissioner Gordon-Creed presented a brief history of his background and stated that he hopes that the Commission will become a force in assuring a level playing field for San Francisco politics. His interests include policy, procedures, lobbying and candidate reporting. Commissioner Brant T. Lee also presented a brief history of his background. He stated that it is a privilege to be appointed to the Commission and he looks forward to helping the Commission establish a competent, fair and impartial process for administering and enforcing its various mandates. Commission Chair Gee announced an upcoming orientation for the new commissioners. She explained that the terms for each appointed Commissioner had been established by drawing straws during the first stages of the Commission's existence.

Ms. Rubin introduced the office staff: Shawn Allison, Ginny Vida and Cheryl Bernstein. Ms. Rubin discussed their job functions as well as their backgrounds.

V. Chair's Report

A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors. Commissioner Gee announced that the Annual Report had been prepared by her predecessor, Commissioner Camille Hamilton Pating. Commissioner Gee asked Commissioner Gordon-Creed and Commissioner Lee to vote on the report even though they were not members of the Commission during the reporting period.

(Gordon-Creed/Lee) Moved, Seconded and Passed: To adopt the Annual Report to the Board of Supervisors and the Mayor. The motion, recorded by Commissioner Hendricks, passed unanimously.

B. Discussion and Possible Action Re: Work Plan Progress. Ms. Rubin announced that the work plan had not been updated for this meeting.

C. Discussion and Possible Action Re: Development of Internal Operating Procedures. Commission Chair Gee asked Commissioner Gordon-Creed, and he agreed, to work with Ms. Rubin on developing operating procedures.

VI. Director's Report Ms. Rubin submitted her report to the Commissioners and presented a summary of major issues/activities.

A. Discussion and Possible Action Re: Office Space. Office space has been identified on the 7th floor of 1390 Market Street. Although the lease has several processes to go through before being approved, Ms. Rubin feels confident that the office will be moving on or around the first of December. In the interim, space for storage of files was negotiated with the Board of Supervisors on the 4th floor of 401 Van Ness until the move takes place.

B. Discussion and Possible Action Re: Staff Hiring, Interns and Volunteers. Staff positions have been filled, and all staff have begun work on various projects. A series of staff planning sessions has been implemented to assess the status of all charter-mandated activities, to establish long range goals to objectives, and to assign staff leadership roles and responsibilities for all projects. Ms. Rubin will start recruiting interns in the near future.

C. Discussion and Possible Action Re: FY 1996-97 Budget. Budget projections for FY 1996-1997 have been requested by the mayor's office budget staff. The Ethics Commission has been asked to report to the Board of Supervisors' Finance Committee on savings and efficiency measures developed during the current fiscal year. Ms. Rubin will represent the Commission at the hearing on October 25th.

D. Discussion and Possible Action Re: Activities. In addition to ongoing meetings and communications with other department staff, Virginia Gee and Jane Rubin attended the Council On Government Ethics Laws (COGEL) Conference in Washington, DC (Sept. 17-20). Ms. Rubin also reported that she participated in a meeting of the U.C. Berkeley Graduate Theological Union's Center for Ethics and Social Policy. In addition, she and Ginny Vida met with the Commissioners and staff of the Commission on the Status of Women to discuss common areas of responsibilities and objectives. Ms. Rubin will be meeting with the City's Internet coordinator to discuss the electronic filing system and to make plans for the Ethics Commission to be placed on the city's world wide web site.

Commission Chair Gee requested copies of letters and a log summarizing inquiry and complaint activity. Commission Gordon-Creed addressed concerns of confidentiality with complaints/investigations by recommending that the Commission use a general format for reports which excludes specific information and names.

Commission Vice-Chair Hendricks asked Deputy City Attorney Julie Moll for information about Commission policy regarding the Board of Supervisors' recent action to extend subpoena power to the City Attorney's Office. Ms. Rubin emphasized that the subpoena power will enable the City Attorney and the Ethics Commission to work more effectively on complaints and investigations.

VII. Discussion and Possible Action Re: Media Contacts, Articles and Responses.: Commissioner Hendricks asked about Commission policy re: responding to media inquiries. Commissioner Gee recommended that media inquiries be re-directed through staff.

VIII. Discussion and Possible Action Re: Press Release/Update to Appointing Authorities. Ms. Rubin announced that the press release on the status of the Commission would be released soon, and she requested that one commissioner serve as the point person for approval of all media releases, even though they should ultimately be reviewed by all commissioners. Commisioner Gee agreed to be the point person with Commission Vice-Chair Hendricks filling in if she were not available. The procedure will be that press releases will be sent to Commissioner Gee for approval and be released to the media the following day.

Ms. Rubin advised that she had met recently with Ms. Moll and Claire Sylvia of the City Attorney's office to try to work out a protocol for handling and addressing complaints received by the Commission. It may be possible that the Commission and City Attorney's Office can work together on some investigations. Ms. Moll is researching the intent of the Charter with respect to this area.

IX. Discussion and Possible Action Re: Scheduling and Planning for Next Retreat. Commissioner Gee requested that Nancy Lee of the Center for the Common Good present information regarding the Commission's retreat scheduled for December 6, 1995, from 1-6 p.m., at the Lone Mountain Campus of the University of San Francisco.

Nancy Lee expressed the Center for the Common Good's interest in identifying the Commission's priorities and goals and having one of the appointing authorities attend each retreat. She also recommended reviewing and advancing

the work plan with a media strategy for 1996. Commissioner Hendricks and Ms. Rubin agreed to join the planning committee.

Commissioner Gee announced a possible date of December 6, 1995, from 1-6 P.M., for the retreat.

X. Discussion and Possible Action Re: Setting Revised Commission Meeting Calendar.

Commissioner Gee announced a meeting time change to accommodate the two new commissioners. The commissioners decided to convene the monthly meetings at 3:00 P.M. instead of 2:00 P.M. as specified in the by-laws of the Commission. Ms. Rubin stated that she would send a letter to everyone on the Commission's mailing list to notify them of the time and date change of the November 20 meeting.

XI. **Public Comment Re: Matters Appearing or Not Appearing on the Agenda.** There were no comments from the public.

There being no further business, the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

_____

Shawn Allison
Administrative Assistant

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Ethics Commission

401 Van Ness Ave. Room 303
San Francisco CA 94102
Phone 554-6464 Fax 554-6400

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SAN FRANCISCO ETHICS COMMISSION AGENDA

AND NOTICE OF MEETING FOR MONDAY NOV. 20, 1995, 3:00 P.M.
1660 MISSION STREET, ROOM 2001
SAN FRANCISCO

I. Call To Order and Roll Call

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

III. Discussion and Possible Action Re: Minutes: Meetings October 17, 1995

IV. Chair's Report
A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors
B. Discussion and Possible Action Re: December Retreat Meeting
C. Discussion and Possible Action Re: Development of Procedures

V. Director's Report
A. Discussion and Possible Action Re: Office Space and Move
B. Discussion and Possible Action Re: Interns and Volunteers
C. Discussion and Possible Action Re: FY 1996-97 Budget
D. Discussion and Possible Action Re: Activities

VI. Discussion and Possible Action Re: Open House

VII. Discussion and Possible Action Re: Quarterly Lobbyist report

VIII. Discussion and Possible Action Re: Revision of Lobbyist Manual

IX. Public Comment Re: Matters Appearing or Not Appearing on the Agenda

X. Closed Session Pursuant to Ralph Brown Act, Section 54956.9 and Sunshine Ordinance Section 67.11, pending litigation, to protect service of process

XI Discussion and Possible Action Re: Disclosure of Closed Session Pursuant to Ralph Brown Act, Section 54957.1 and Sunshine Ordinance Section 67.14

Motion: The Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations re: pending litigation, to protect service of process.

XII. Adjournment

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MINUTES OF THE SAN FRANCISCO ETHICS COMMISSION MEETING
401 VAN NESS AVE., ROOM 301
NOVEMBER 20, 1995

I. Call to Order and Roll Call. Commissioner Gee called the meeting to order at 3:10 p.m. The following were present:

MEMBERS PRESENT:	Virginia C. Gee, Chair Geoffrey Gordon-Creed Brant T. Lee
MEMBERS ABSENT:	Jo Ann Hendricks, Vice-Chair
STAFF PRESENT:	Jane E. Rubin, Executive Director Cheryl Bernstein, Whistleblower-Educator Ginny Vida, Investigator/Auditor
STAFF ABSENT:	Shawn Allison

OTHERS PRESENT: Anita Mayo, Pillsbury Madison & Sutro

Commissioner Hendricks was unable to attend due to illness. Ms. Rubin reported that all staff were present today except Shawn Allison, who is on vacation.

II. Public Comment Re: Matters Appearing or Not Appearing on the Agenda. Anita Mayo, of Pillsbury, Madison & Sutro, requested that when the City Attorney issues letters of opinion on matters such as the lobbying ordinance and campaign ordinance, these matters be included on the agenda of future Commission meetings so that the public will know the letters have been issued.

III. Discussion and Possible Action re Minutes; Meeting Oct. 17, 1995. Ms. Rubin reported that since the October 1995 minutes were distributed only today, they will be submitted for approval at the Commission's next meeting in December.

IV. Chair's Report

A. Discussion and Possible Action Re: Ethics Commission Annual Report to Board of Supervisors. Commissioner Gee reported that the Ethics Commission's Annual Report to the Board of Supervisors has been distributed to all appropriate parties.

B. Discussion and Possible Action Re: December Retreat Meeting. Commissioner Gee reported that Nancy Lee, of the Center for the Common Good, has a tentative agenda for the Commission's half-day retreat scheduled for December 6, 1995, as well as materials pertaining to past retreats.

Nancy Lee advised that participants should buy an all-day parking ticket for $4.00 at the booth, where they will be properly directed. There is no longer free parking at the retreat location.

Ms. Lee advised that Martin Paley, Director of the Center for the Common Good, had met with Ms. Rubin and Commissioner Hendricks to develop an agenda for the retreat. Ms. Rubin said that Larry Florin, who was involved in the original design of the Ethics Commission, had accepted Commissioner Hendricks' invitation to attend the December 6 retreat.

Ms. Rubin reported that previously, the Commission has invited one of the Commission's appointing authorities to attend the retreat. So far, two appointing authorities--Mayor Frank Jordan and Board of Supervisors President Kevin Shelley--have attended periodic retreats. City Attorney Louise Renne has accepted an invitation to participate on December 6. The Commission plans subsequently to invite the remaining appointing authorities to attend forthcoming retreats.

C. Discussion and Possible Action Re: Development of Procedures. Commissioner Gordon-Creed and Ms. Rubin have developed an outline for an agenda dealing with operating procedures and communications issues. This outline will serve as a working document for discussion at the retreat.

There will be a discussion at the retreat about the Commission's educational mandate, including production of seminars and meetings for appointed and elected officials , city department heads and employees. Participants will also discuss what publications should be prepared, to whom they should be directed and what our priorities should be. The future role of the Center for the Common Good, which continues to assist the Commission despite having exhausted its funding for this activity, will also be a topic on the agenda.

Commissioner Gee noted that the Commission also needs to clarify its administrative versus policy-making roles.

Commissioner Gordon-Creed asked which staff are assigned to work on education projects. Ms. Rubin advised that Cheryl Bernstein is assigned to work on education issues, but all staff will work in this area. No deadlines have been set for these projects. Staff will set its own agenda and schedule for these activities.

V. Director's Report

A. Discussion and Possible Action Re: Office Space and Move. Ms. Rubin submitted a written report and highlighted the following: The Commission office is relocating on Friday, December 1 from temporary offices at 401 Van Ness to semi-permanent headquarters at Fox Plaza, 1390 Market St., Suite 701, SF 94102-4628. The Commission has signed a five-year lease, which is renewable for an additional five years. It expects to be open to the public on Monday morning, December 4. The new quarters will provide staff with appropriate office space and will house the Commission's public files. Ms. Rubin is exploring the possibility of moving future meetings to a conference room at Fox Plaza if it is available on the second Monday of each month. The charge would be about $50 for each meeting. The Commission is slated to move back to City Hall when it reopens, but it is unknown how soon that will happen.

B. Discussion and Possible Action Re: Interns and Volunteers. Ms. Rubin advised that following installation of appropriate wiring and equipment, we will look for a volunteer or student intern to serve as our MIS assistant to keep these systems operable. Commissioner Gee reported that she had spoken with Commissioner Lee regarding interns and had introduced him to the Coro Foundation. Commissioner Gee announced that she is appointing Commissioner Lee to work with Ms. Rubin to explore options for volunteers and/or interns. She suggested that we contact Golden Gate University and the Public Library to see if we can access their information networks.

C. Discussion and Possible Action Re: FY 1996-67 Budget. Ms. Rubin announced that she had prepared for the Mayor's Office a very preliminary broad budget projection for the next fiscal year. In view of the passage of Proposition N, the Ethics Commission will need additional funding to administer/monitor campaign finance limitations and contributions issues. One week ago the Mayor's Office announced that official budget requests would be due in February. The Office will give Ms. Rubin more information on the specific format for budget proposals.

D. Discussion and Possible Action Re: Activities.

Staff Planning Meetings. Ms. Rubin advised that the staff has had a series of planning sessions to assess the status of all of the Commission's 14 charter mandates; identify priorities, staff assignments and deadlines; and determine where we need to get help on certain projects. Staff has produced a master document and calendar reflecting this planning, for use at the retreat. This document will serve as the basis for this year's work plan. After the Commission moves to new quarters, it will be hooked into city-wide E-

mail, via a Local Area Network (LAN), and the internet. The Commission is paying to have the kind of wiring it needs installed all at once.

Finance Committee Testimony. Ms. Rubin reported that she testified on behalf of the Ethics Commission at the Board of Supervisors' Finance Committee hearings a couple of weeks ago. Each city department was asked to report on savings and efficiency efforts it had made in the current budget year. At this meeting Ms. Rubin spoke of revenues the Commission is bringing in through collection of late fees.

Tomorrow Ms. Rubin will attend a Board of Supervisors Rules Committee meeting regarding technical amendments that have been made regarding filing with the Ethics Commission

Lobbyist Filings Report. Ms. Rubin reported that the Commission has been receiving quarterly lobbyist filings, the most recent of which was due on October 17. Being fully staffed for the first time, the Commission was able to analyze and compile the information from these filings and produce a report with data tables that made the dollars and issues comprehensible to the public. The report indicates where lobbyists are focusing their expenditures in this quarter and where there are particular ties between groups. Staff made this report available to the public via a press release and a mailing to those on the Commission's mailing list. The Commission will issue similar reports each quarter.

Ms. Rubin advised that she had had a brief conversation with the City Attorney's office regarding expansion of the registered pool of lobbyists in the city. Only 39 are currently registered; it appears that many more may not be registered. Ms. Rubin's conversation with the City Attorney's office also included a discussion re: analysis of the current fee structure, including a review of how the current fee structure was set up. Fee increases may be considered.

Pre-Election Filings/Late Notices. The Commission received two pre-election campaign filing statements and followed up with late fee notices and second notices. It received some requests for waivers, most of which were denied. Per an inquiry by Commissioner Lee about the basis for waiving fees, Ms. Rubin explained that some were waived because of no

activity (the State does not impose fines in these circumstances), and one was reduced because of a delay caused by the post office.

The Commission has notified filers of a combined total of more than $10,000 in payments due, and has received over $5000, slightly more than half--a good response rate. The Commission also issued a press release on fees imposed. All fees go into the city's general fund. The Ethics Commission has issued a total of three press releases on the following: filings and fees, appointment of new commissioners, and the report on lobbyist filings. All three have been picked up by the media to some extent.

Commissioner Gee inquired about follow up. Ms. Rubin noted that staff has sent second notices where first notices were ignored. She noted that the second notice cautions that the matter may be turned over to the City Attorney's office for appropriate action. Staff has discussed with Julie Moll of the City Attorney's office what the appropriate steps might be.

Revision of Lobbyist Forms/Documents. Commissioner Gordon-Creed reported that he has volunteered to look into the lobbyist filing and registration documents that Cheryl Bernstein is working on . He stated that these documents are poorly drafted in that they leave a lot of "wiggle room." The Commission needs to re-draft the lobbyist registration and filing forms so they require clearer responses. For example, filers should be required to disclose what legislation they are promoting. He also noted that the documents should be expanded to include non-profits and labor unions.

Commissioner Gee noted that some lobbyists are not registering.

Commissioner Gordon Creed stated that the Commission needs to formulate a data base that allows us to compare lobbyist disclosure to city officials' finance disclosure forms. The Commission might thus determine whether public officials are receiving gifts from corporations that the corporations are not declaring. It could then follow up and inquire about discrepancies.

Statements of Economic Interests. Ms. Rubin reported that all staff met recently with John Taylor, Clerk of the Board of Supervisors, re: our role in handling statements of economic interests which agency heads, certain city employees and members of boards and commissions are required to complete each year. The Commission will be taking over this role from the Clerk of the Board of Supervisors and now has a clear picture of our responsibilities. Ms. Rubin attended meetings of the full Board of Supervisors and the Board's Government Efficiency Subcommittee, and Budget/Finance Subcommittee, some of which had to do with getting the Commission's lease resolved, some regarding its budget.

Internet Meeting. Ms. Rubin announced that she had met recently with the city's internet coordinator and discussed how the electronic filing system should be incorporated into the city's overall technological system. The internet coordinator advised the Commission to put a page on the world wide web. Ms. Bernstein and Mr. Allison have drafted a page for the Commission and staff will have it translated into appropriate computer language. Although there is not much information to put on the page now, the Commission will advise readers to "Watch this space for information about the SF Ethics Commission." The Commission is also discussing what to use as a logo, and is considering various light symbols such as a lighthouse or a torch.

Russian Officials Meeting. Ms. Rubin reported that she had made a presentation to Russian officials touring the country under the auspices of the Asia Foundation. They wanted to know how San Francisco's government operates.

Activity Report. Ms. Rubin reported that per a request at the last meeting, staff had prepared a summary of written inquiries, phone complaints and phone inquiries received from October 1 through November 15, reflecting the kinds of issues and activity level at the Ethics Commission. The summary was distributed at today's meeting.

VI. Discussion and Possible Action Re: Open House. It was suggested that when the Commission moves into its new quarters, it invite appointing authorities, department heads, and the media to a modest open house. The Commission will host this event at its own space, providing a tour for guests and an overview of its work. At Commissioner Gee's request the commissioners agreed to equally share the cost of a $100 budget so that refreshments can be provided. No date has been set yet.

Commissioner Gee requested that the Commission reach out to the city's various communities in extending invitations to the open house.

VII. Quarterly Lobbyist Report. Commissioner Gordon-Creed noted that Ms. Bernstein has begun to organize all the myriad documents filed by lobbyists. He said they should be put in spread sheet format with cross references for easier tracking. This was not done in the past because of insufficient staffing.

Commissioner Gee suggested that staff contact Ed McBride at the San Francisco Public Library regarding exploration of grants that may meet our needs.

VIII. Discussion and Possible Action Re: Revision of Lobbyist Manual. Ms. Rubin announced that the Commission has sent notices to all lobbyists who filed and has asked them for ideas on how to improve the lobbyist manual. They were given until the end of November to respond. The revised manual will be ready in December and will be submitted to the Commission for approval.

IX. Public Comment re Matters Appearing or Not Appearing on the Agenda. There was no public comment on today's agenda items.

X. Closed Session Pursuant to Ralph Brown Act. Pursuant to section 54956.9 of the Ralph Brown Act and Sunshine Ordinance Section 67.11, Commissioner Gee announced that the next portion of today's meeting would be conducted as a closed session.

XI. Disclosure of Closed Session Pursuant to Ralph Brown Act. The following motion was passed unanimously:

> **Motion: <u>Moved, Seconded and Passed:</u> The Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations re: pending litigation, to protect service of process.**

XII. Adjournment. The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

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Ginny Vida
Investigator/Auditor

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Corrected

Ethics Commission

401 Van Ness Ave. Room 303
San Francisco CA 94102
Phone 554-6464 Fax 554-6400

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NOTICE OF SPECIAL MEETING
SAN FRANCISCO ETHICS COMMISSION

WEDNESDAY, DECEMBER 6, 1995, 1:00 P.M.
UNIVERSITY OF SAN FRANCISCO
LONE MOUNTAIN CONFERENCE CENTER, ROOM ~~107~~ 140
2800 TURK STREET, SAN FRANCISCO

I. Call to Order

II. Public Comment Regarding Matters Appearing or not Appearing on the Agenda

III. Work Session for Ethics Commission to be moderated by the Center For The Common Good *

IV. Public Comment Regarding Matters Appearing or not Appearing on the Agenda

V. Adjournment

*This is a work-study session for the Ethics Commission. No action will be taken by the Commission at this meeting. All members of the public are invited to attend.

This location is wheelchair accessible. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

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Ethics Commission

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MINUTES OF THE
SAN FRANCISCO ETHICS COMMISSION MEETING
1660 Mission St., Room 2001
December 11, 1995

I. Call to Order and Roll Call. Commission Chair Virginia C. Gee called the meeting to order at 3:05 p.m. The following were present:

MEMBERS PRESENT: Virginia C. Gee, Chair
Jo Ann Hendricks
Geoffrey Gordon-Creed
Brant Lee

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STAFF PRESENT: Jane Rubin, Executive Director
Shawn Allison, Administrative Assistant
Ginny Vida, Investigator/Auditor

OTHERS PRESENT: James Chaffee

II. Public Comment re: Matters appearing or not appearing on the agenda. The privilege of the floor was granted to Mr. James Chaffee, who expressed his opposition to the retreat held recently by the Commission. He feels that retreats encourage members to share the same attitudes and discourage them from recognizing diversity of opinion.

III. Discussion and Possible Action Re: Minutes: Meetings of June 12, July 10 and October 17, 1995. It was agreed that minutes from the June 12, July 10, and October 17, 1995, meetings and the November 20,1995, Ethics Commission meeting will be placed on the agenda for approval at the next meeting scheduled for January 8, 1996. Staff will prepare/reformat minutes of the June 12 and July 10 meetings, referring to the audiotapes.

IV. Announcement of Office Relocation. Executive Director Jane Rubin announced that the Commission office was relocated to Fox Plaza, 1390 Market Street, Suite 701, on Friday, December 1, and opened to the public on Monday, December 4, 1995. The new office provides appropriate space for staff to work and for the public to view the Commission's public files. Ms. Rubin said that after the December 12 election, the Commission will enlist the assistance of International Services Division (ISD) in setting up its technology. Ms. Rubin will try to arrange for future Commission meetings to be held at a conference room at Fox Plaza, beginning with the January 8, 1996, meeting. She noted that she will be unable to attend that meeting due to family commitments.

Commissioner Gee requested a calendar of dates for future Commission meetings. Staff will provide this.

Commission Vice-Chair Jo Ann Hendricks noted that the bylaws need to be amended re: the new meeting place and time. It was agreed that this matter and any other necessary bylaw changes will be on the agenda for the January meeting.

Commissioner Geoffrey Gordon-Creed asked for and was provided with phone numbers for the new office. The general office number is (415) 554-9510.

Ms. Rubin advised that the Executive Director's Report was distributed at today's meeting.

V. Discussion and Possible Action Re: Open House. The Commission agreed to host an open house at the new office on February 13, 1996, from 5-7 p.m., following the February Commission meeting scheduled for 3:00 p.m. on that date. The Commission meeting will be moved to Tuesday, February 13 because Monday, February 12 is a holiday.

VI. Discussion and Possible Action Re: Scheduling of Special Meetings: Work Plan. Commissioner Gee announced that she had sent a letter to Martin Paley and the staff of the Center for the Common Good, thanking them for their continued assistance and for planning and facilitating the Commission's recent retreat. The retreat included a preliminary discussion of the Commission's work plans to meet the 14 mandates outlined in the City Charter.

The Commission agreed to schedule several sessions to further discuss implementation of the 14 mandates, which will be grouped according to similarity of function. Ms. Rubin and Commissioner Gordon-Creed will bring to the January meeting a proposal for structuring and organizing the work plan meetings.

Commissioner Gee noted that the Rules and Regulations for Investigation and Enforcement previously approved by the Commission may need to be revised. Ms. Rubin will review the flow chart prepared by Randy Riddle. Commissioner Hendricks asked Commissioner Gordon-Creed and Commissioner Brant Lee to review the regulations from a legal perspective and suggest how these could be made clearer and easier to understand.

Commissioner Gee noted that the design of a complaint form was never completed. Ms. Rubin will speak with Julie Moll of the City Attorney's Office about this matter. Commissioner Gordon-Creed also agreed to work with Ms. Rubin on this project.

VII. Discussion and Possible Action Re: Appointment of Finance Committee. Commissioner Gee requested that Commissioner Hendricks serve as Finance Chair to work with Ms. Rubin and the commission chair on budget matters.

VIII. Public Comment Re: Matters Appearing or Not Appearing on the Agenda. The privilege of the floor was granted to Mr. Chaffee, who stated that fewer members of the public are attending the Commission's meetings. In response, Commissioner Gee noted that attendance has been higher at recent meetings not attended by Mr. Chaffee.

Mr. Chaffee stated that all Commission agendas should include a notice of rights under the Sunshine Law. A letter from the Clerk of the Board of Supervisors has been distributed to this effect. Staff will obtain model language for the notice from John Taylor.

Shawn Allison reported that he will be attending monthly meetings for Commission administrative assistants, where matters such as this will be brought to everyone's attention more promptly.

IX. Closed Session Pursuant to Ralph Brown Act, Section 54957 and Sunshine Ordinance Section 67.11, Personnel (Performance Evaluation).

The Commission continued its meeting in closed session.

XI. Discussion and Possible Action Re: Disclosure of Closed Session Pursuant to Ralph Brown Act, Section 54957.1 and Sunshine Ordinance Section 67.14.

The following motion, recorded by Commissioner Hendricks, was approved unanimously:

> **(Gordon Creed/Lee) Moved, Seconded and Passed: The Ethics Commission finds that it is in the best interests of the public not to disclose its closed session deliberations re: Personnel (Performance Evaluation).**

XII. Adjournment. There being no further business, the meeting was adjourned at 4:55 p.m.

Respectfully submitted,

_____
Ginny Vida
Investigator/Auditor

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